

BILL HISTORY FOR ASSEMBLY BILL 934 (LRB -3698)

An Act relating to: repealing, consolidating, renumbering, amending, and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, and eliminating defects, anachronisms, conflicts, ambiguities, and obsolete provisions (Revisor's Revision Bill).

2002

- 05-01. A. Introduced by **Law Revision Committee**.
- 05-01. A. Read first time and referred to committee on Rules.
- 05-01. A. Rules suspended to withdraw from committee on Rules and place on calendar.
- 05-01. A. Read a second time.
- 05-01. A. Ordered to a third reading.
- 05-01. A. Rules suspended.
- 05-01. A. Read a third time and **passed**.
- 05-01. A. Ordered immediately messaged.
- 05-01. S. Received from Assembly.
- 05-01. S. Read first time and referred to committee on Senate Organization.
- 05-01. S. Withdrawn from committee on Senate Organization and taken up.
- 05-01. S. Read a second time.
- 05-01. S. Ordered to a third reading.
- 05-01. S. Rules suspended.
- 05-01. S. Read a third time and **concurred in**.
- 05-01. S. Ordered immediately messaged.

**2001
ENROLLED BILL**

01en A B-934

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

01 - 36981 / 1

Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic Revisor's Revision Bill

5/1/02 [Signature]
Date Enrolling Drafter

ELECTRONIC PROCEDURE:

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2001 ASSEMBLY BILL 934

May 1, 2002 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

1 **AN ACT relating to:** repealing, consolidating, renumbering, amending, and
2 revising various provisions of the statutes for the purpose of correcting errors,
3 supplying omissions, correcting and clarifying references, and eliminating
4 defects, anachronisms, conflicts, ambiguities, and obsolete provisions
5 (Revisor's Revision Bill).

Analysis by the Legislative Reference Bureau

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, serial commas are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

NOTE: This bill is not intended to make any substantive changes.

6 **SECTION 1.** 1.11 (2) (c) 4. of the statutes is amended to read:

7 1.11 (2) (c) 4. The relationship between local short-term uses of the human
8 environment and the maintenance and enhancement of long-term productivity; and

ASSEMBLY BILL 934**SECTION 1**

NOTE: Deletes improperly located "and." See also the next section of this bill.

1 **SECTION 2.** 1.11 (2) (c) 5. of the statutes is amended to read:

2 1.11 (2) (c) 5. Any irreversible and irretrievable commitments of resources
3 ~~which~~ that would be involved in the proposed action should it be implemented; and

NOTE: Places "and" in the proper location in the paragraph, prior to the final subdivision.

4 **SECTION 3.** 8.10 (3) (intro.), (a) to (f) and (h) of the statutes are amended to read:

5 8.10 (3) (intro.) The certification of a qualified elector under s. 8.15 (4) (a) shall
6 be appended to each nomination paper. The number of required signatures on
7 nomination papers filed under this section is as follows:

8 (a) For statewide offices, not less than 2,000 nor more than 4,000 electors;₂

9 (am) For court of appeals judges, not less than 1,000 nor more than 2,000
10 electors;₂

11 (b) For judicial offices not specified in pars. (a), (am), and (c), not less than 200
12 nor more than 400 electors;₂

13 (c) For judicial offices in counties over 500,000 population, not less than 1,000
14 nor more than 2,000 electors;₂

15 (cm) For county executives in counties over 500,000 population, not less than
16 2,000 nor more than 4,000 electors;₂

17 (d) For county executives in counties between 100,000 and 500,000 population,
18 not less than 500 nor more than 1,000 electors;₂

19 (e) For county executives in counties under 100,000 population, not less than
20 200 nor more than 400 electors;₂

21 (f) For supervisors in counties over 500,000 population, not less than 200 nor
22 more than 400 electors;₂

1 (h) For supervisors in counties under 100,000 population, not less than 20 nor
2 more than 100 electors;.

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent.

3 SECTION 4. 11.01 (6) (a) (intro.) of the statutes is amended to read:

4 11.01 (6) (a) (intro.) “Contribution” Except as provided in par. (b),
5 “contribution” means any of the following:

NOTE: Conforms the (intro.) to current style.

6 SECTION 5. 11.01 (6) (b) (intro.) and 1. to 4. of the statutes are amended to read:

7 11.01 (6) (b) (intro.) ~~Notwithstanding the foregoing meanings of “contribution”,~~
8 ~~the term~~ “Contribution” does not include any of the following:

9 1. Services for a political purpose by an individual on behalf of a registrant
10 under s. 11.05 who is not compensated specifically for ~~such~~ the services;.

11 2. The use of real or personal property and the cost of invitations, food, and
12 beverages, voluntarily provided by an individual to a candidate in rendering
13 voluntary personal services on the individual’s residential premises for a purpose
14 under par. (a) 1. if no funds are raised with the knowledge of the host;.

15 3. Any unreimbursed payment for travel expenses made by an individual who
16 on his or her own behalf volunteers ~~the individual’s~~ his or her personal services for
17 political purposes;.

18 4. The costs of preparation and transmission of personal correspondence,
19 provided ~~such material~~ that the correspondence is not reproduced by machine for
20 distribution; ~~or~~.

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent. Replaces “the individual’s” to improve readability. Inserts a specific reference and replaces a disfavored term.

ASSEMBLY BILL 934**SECTION 6**

1 **SECTION 6.** 11.01 (6) (c) of the statutes is renumbered 11.01 (6) (b) 7. and
2 amended to read:

3 11.01 (6) (b) 7. ~~Notwithstanding par. (a), when a committee or group not~~
4 ~~organized exclusively for political purposes receives a~~ A gift, subscription, loan,
5 advance, or deposit of anything of value and received by a committee or group not
6 organized exclusively for political purposes that the group or committee does not
7 utilize it for political purposes, it is not a “contribution”.

NOTE: Reorganizes text to conform provision with current style and to fit within
the list of other exclusions under par. (b).

8 **SECTION 7.** 11.01 (7) (a) (intro.) of the statutes is amended to read:

9 11.01 (7) (a) (intro.) “Disbursement” Except as provided in par. (b),
10 “disbursement” means any of the following:

NOTE: Conforms the (intro.) to current style.

11 **SECTION 8.** 11.01 (7) (b) (intro.) and 1. to 3. of the statutes are amended to read:

12 11.01 (7) (b) (intro.) ~~Notwithstanding the foregoing meanings of~~
13 ~~“disbursement”, the term “Disbursement” does not include~~ any of the following:

14 1. The use of real or personal property and the cost of invitations, food, and
15 beverages, voluntarily provided by an individual to a candidate in rendering
16 voluntary personal services on the individual’s residential premises for a purpose
17 under par. (a) 1. if no funds are raised with the knowledge of the host;

18 2. Any unreimbursed payment for travel expenses made by an individual who
19 on his or her own behalf volunteers ~~the individual’s~~ his or her personal services for
20 political purposes;

21 3. The costs of preparation and transmission of personal correspondence,
22 provided ~~such material~~ that the correspondence is not reproduced by machine for
23 distribution;

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NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent. Replaces “the individual’s” to improve readability. Inserts a specific reference.

1 **SECTION 9.** 11.07 (3) of the statutes is amended to read:

2 11.07 (3) The secretary of state shall keep a record of all processes, notices, and
3 demands served upon the secretary of state under this section, ~~which~~ that shows the
4 date and hour of service and the date of mailing. The certificate of the secretary of
5 state that a summons and complaint ~~or~~, notice of object of action, or any notice or
6 demand required or permitted by law was served upon the secretary of state and that
7 the same was mailed by the secretary of state as required by law, shall be evidence
8 of service upon the secretary of state. If the address of the individual, committee, or
9 group is not known or readily ascertainable, mailing is dispensed with, and a copy
10 of the process shall ~~then~~ be published as a class 1 notice, under ch. 985, in the county
11 ~~wherein~~ in which the last-known registered agent was located ~~and~~ or, if unknown,
12 in Dane ~~county~~ County.

NOTE: Conforms capitalization to current style, replaces disfavored terminology, and corrects punctuation.

13 **SECTION 10.** 11.20 (8) (intro.), (a) and (b) of the statutes are amended to read:

14 11.20 (8) (intro.) Reports filed under subs. (2), (4), and (4m) shall include all
15 contributions received and transactions made as of the end of:

16 (a) The 15th day preceding the primary or election in the case of the preprimary
17 and preelection report;

18 (b) December 31 in the case of the continuing report required by January 31;
19 ~~and~~.

NOTE: Conforms the (intro.) to current style. Makes punctuation of the paragraph consistent.

20 **SECTION 11.** 13.48 (21) (title) of the statutes is amended to read:

ASSEMBLY BILL 934**SECTION 11**

1 13.48 (21) (title) ~~DEBT INCREASE FOR MEDICAL COLLEGE~~ MEDICAL COLLEGE OF
2 WISCONSIN.

NOTE: Conforms capitalization to current style.

3 **SECTION 12.** 13.48 (21) (a) (intro.) of the statutes is amended to read:

4 13.48 (21) (a) (intro.) The building commission may authorize up to \$8,000,000
5 of general fund supported borrowing to aid in the construction of a basic science
6 education facility at the ~~medical college~~ Medical College of Wisconsin. Prior to the
7 approval of any state funding commitment, the building commission must satisfy
8 itself that the ~~medical college~~ Medical College of Wisconsin has secured additional
9 funding commitments of at least \$34,000,000 from other nonstate revenue sources;
10 that such revenue sources are reasonable and available; that the nonstate funding
11 commitments will not exceed \$10,000,000 in borrowed funds, the repayment of
12 which shall be amortized over a period of years equal to at least three-fourths of the
13 amortization period for retirement of the bond issue authorized under s. 20.866 (2)
14 (zb), and that the nonstate funding commitment will not jeopardize the operating
15 funds of the medical college; and that the total funding commitments will enable the
16 signing of contracts for the construction of a complete basic sciences educational
17 facility. If the building commission authorizes a construction grant to the ~~medical~~
18 ~~college~~ Medical College of Wisconsin, the medical college, in return, shall provide the
19 state with an option-to-purchase with the following provisions:

NOTE: Conforms capitalization to current style.

20 **SECTION 13.** 15.157 (8) (b) of the statutes is amended to read:

21 15.157 (8) (b) A representative of the ~~medical college~~ Medical College of
22 Wisconsin, ~~inc.~~ Inc.

NOTE: Conforms capitalization to current style.

1 **SECTION 14.** 15.165 (3) (b) (intro.) of the statutes is amended to read:

2 15.165 (3) (b) *Wisconsin retirement board.* (intro.) There is created in the
3 department of employee trust funds a Wisconsin retirement board. The board shall
4 consist of 9 members, and board members appointed under subds. 1. to 8. shall serve
5 for staggered 5-year terms. The member appointed under subd. 1. shall be
6 appointed from a list of 5 names submitted by the board of directors of the league
7 League of Wisconsin ~~municipalities~~ Municipalities, and the member appointed
8 under subd. 4. shall be appointed from a list of 5 names submitted by the executive
9 committee of the Wisconsin Counties Association. Each member appointed under
10 subds. 1., 2., and 3. shall be from a different county. Each member appointed under
11 subds. 4., 5., and 6. shall be appointed from a different county. The board shall consist
12 of the following members:

NOTE: Conforms capitalization to current style. Adds comma to correct grammar.

13 **SECTION 15.** 15.435 (1) (e) 2. and 6. of the statutes are amended to read:

14 15.435 (1) (e) 2. One municipal official member shall be recommended by the
15 league League of Wisconsin ~~municipalities~~ Municipalities.

16 6. The Native American member shall be recommended by the Great Lakes
17 ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc. Preference should be given to the
18 appointment of a Native American who resides in a ~~township~~ town in which the
19 development of a metalliferous mineral ore body is occurring.

NOTE: Conforms capitalization to current style. Inserts correct municipality terminology.

20 **SECTION 16.** 15.467 (4) (h) of the statutes is amended to read:

21 15.467 (4) (h) A member of the Wisconsin ~~district~~ District Attorneys
22 Association, designated by the president thereof.

NOTE: Conforms capitalization to current style.

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1 **SECTION 17.** 15.78 of the statutes is amended to read:

2 **15.78 Public defender board.** There is created a public defender board
3 consisting of 9 members appointed for staggered 3-year terms. No member may be,
4 or be employed on the staff of, a judicial or law enforcement officer, district attorney,
5 corporation counsel, or the state public defender. At least 5 members shall be
6 members of the state bar State Bar of Wisconsin.

NOTE: Conforms capitalization to current style.

7 **SECTION 18.** 16.375 (3) (intro.) and (d) of the statutes are consolidated,
8 renumbered 16.375 (3) and amended to read:

9 **16.375 (3) TRANSFER OF REAL PROPERTY.** The department may transfer real
10 property obtained under sub. (2) to an applicant pursuant to under a written
11 agreement that includes the following: (d) The a provision that the applicant agrees
12 to pay the department an amount to utilize the real property in conformance with
13 the agreement.

NOTE: The (intro.) and par. (d) are combined as there are no other paragraphs.

14 **SECTION 19.** 16.855 (10n) (a) (intro.) and 2. of the statutes are consolidated,
15 renumbered 16.855 (10n) (a) and amended to read:

16 **16.855 (10n) (a)** In this subsection: ~~2. “Minority,~~ “minority group member” has
17 the meaning given in s. 560.036 (1) (f).

NOTE: The (intro.) and subd. 2. are combined as there are no other subdivisions.

18 **SECTION 20.** 16.959 (4) of the statutes is amended to read:

19 **16.959 (4)** Train University of Wisconsin—System extension
20 Wisconsin—Extension staff to assist persons interested in siting wind energy
21 conversion systems.

NOTE: Makes reference to the university extension consistent with the remainder
of the statutes.

1 **SECTION 21.** 17.16 (2) of the statutes is renumbered 17.001 and amended to
2 read:

3 **17.001 Definition.** ~~The word “cause,” as used in In~~ this chapter, unless
4 qualified, “cause” means inefficiency, neglect of duty, official misconduct, or
5 malfeasance in office.

NOTE: Moves a definition applicable to the entire chapter to a separate section at
the beginning of the chapter, consistent with current style.

6 **SECTION 22.** 18.61 (3) (a) of the statutes is amended to read:

7 18.61 (3) (a) If the state fails to pay any revenue obligation in accordance with
8 its terms, and default continues for a period of 30 days or if the state fails or refuses
9 to comply with this subchapter or defaults in any agreement made with the owners
10 of any issue of revenue obligations, the owners of 25% in aggregate principal amount
11 of the revenue obligations of the issue then outstanding, by instrument recorded in
12 the office of the register of deeds of Dane county County and approved or
13 acknowledged in the same manner as a deed to be recorded, may appoint a trustee
14 to represent the owners of the revenue obligations for the purposes specifically
15 provided in the instrument.

NOTE: Conforms capitalization to current style and corrects punctuation.

16 **SECTION 23.** 20.115 (4) (e) of the statutes is amended to read:

17 20.115 (4) (e) ~~Aids to world dairy expo, inc.~~ World Dairy Expo, Inc. The amounts
18 in the schedule for aids to the ~~world dairy expo, inc.~~ World Dairy Expo, Inc., to be used
19 for the payments under s. 93.30.

NOTE: Capitalizes corporate title consistent with current style.

20 **SECTION 24.** 20.250 (intro.) of the statutes is amended to read:

21 **20.250 Medical College of Wisconsin.** (intro.) There is appropriated to the
22 ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., for the following program:

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NOTE: Conforms capitalization to current style.

1 **SECTION 25.** 20.285 (1) (h) of the statutes is amended to read:

2 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and
3 (6) (g), all moneys received by the ~~university~~ University of Wisconsin ~~system~~ System
4 for or on account of any housing facility, commons, dining halls, cafeteria, student
5 union, athletic activities, stationery stand or bookstore, parking facilities or car fleet,
6 or such other auxiliary enterprise activities as the board designates and including
7 such fee revenues as allocated by the board and including such moneys received
8 under leases entered into previously with nonprofit building corporations as the
9 board designates to be receipts under this paragraph, to be used for the operation,
10 maintenance, and capital expenditures of activities specified in this paragraph,
11 including the transfer of funds to pars. (kd) and (ke) and to nonprofit building
12 corporations to be used by the corporations for the retirement of existing
13 indebtedness and such other payments as may be required under existing loan
14 agreements, and for optional rental payments in addition to the mandatory rental
15 payments under the leases and subleases in connection with the providing of
16 facilities for such activities. A separate account shall be maintained for each campus
17 and extension. Upon the request of the extension or any campus within the system,
18 the board of regents may transfer surplus moneys appropriated under this
19 paragraph to the appropriation account under par. (kp).

NOTE: Conforms capitalization to current style.

20 **SECTION 26.** 20.435 (2) (gk) of the statutes, as affected by 2001 Wisconsin Act
21 16, is amended to read:

22 20.435 (2) (gk) *Institutional operations and charges.* The amounts in the
23 schedule for care, other than under s. 51.06 (1r), provided by the centers for the

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1 developmentally disabled, to reimburse the cost of providing the services and to
2 remit any credit balances to county departments that occur on and after
3 July 1, 1978, in accordance with s. 51.437 (4rm) (c); for care, other than under s.
4 46.043, provided by the mental health institutes, to reimburse the cost of providing
5 the services and to remit any credit balances to county departments that occur on and
6 after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for maintenance of
7 state-owned housing at centers for the developmentally disabled and mental health
8 institutes; for repair or replacement of property damaged at the mental health
9 institutes or at centers for the developmentally disabled; and for reimbursing the
10 total cost of using, producing, and providing services, products, and care. All moneys
11 received as payments from medical assistance on and after August 1, 1978; as
12 payments from all other sources including other payments under s. 46.10 and
13 payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical
14 assistance payments, other payments under s. 46.10, and payments under s. 51.42
15 (3) (as) 2. received on and after January 1, 1979; as payments for the rental of
16 state-owned housing and other institutional facilities at centers for the
17 developmentally disabled and mental health institutes; for the sale of electricity,
18 steam, or chilled water; as payments in restitution of property damaged at the
19 mental health institutes or at centers for the developmentally disabled; for the sale
20 of surplus property, including vehicles, at the mental health institutes or at centers
21 for the developmentally disabled; and for other services, products, and care shall be
22 credited to this appropriation, except that any payment under s. 46.10 received for
23 the care or treatment of patients admitted under s. 51.10, 51.15, or 51.20 for which
24 the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e)
25 for which the state is liable under s. 55.05 (1), of forensic patients committed under

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1 ch. 971 or 975, admitted under ch. 975, or transferred under s. 51.35 (3), or of patients
2 transferred from a state prison under s. 51.37 (5), to the Mendota mental health
3 institute Mental Health Institute or the Winnebago mental health institute Mental
4 Health Institute shall be treated as general purpose revenue — earned, as defined
5 under s. 20.001 (4).

NOTE: Conforms capitalization to current style and adds articles for better readability.

6 **SECTION 27.** 20.435 (6) (hx) of the statutes is amended to read:

7 20.435 (6) (hx) *Services related to drivers, receipts.* The amounts in the
8 schedule for services related to drivers. All moneys received by the state treasurer
9 from the driver improvement surcharge on court fines and forfeitures authorized
10 under s. 346.655 and all moneys transferred from the appropriation account under
11 s. 20.395 (5) (di) shall be credited to this appropriation. The secretary of
12 administration shall annually transfer to the appropriation account under s. 20.395
13 (5) (ek) 3.76% of all moneys credited to this appropriation from the driver
14 improvement surcharge. Any unencumbered moneys in this appropriation account
15 may be transferred to sub. (7) (hy) and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5)
16 (ci) and (di), and 20.455 (5) (h) by the secretary of administration, after consultation
17 with the secretaries of health and family services and transportation, the
18 superintendent of public instruction, the attorney general, and the president of the
19 university University of Wisconsin system System.

NOTE: Conforms capitalization to current style and corrects grammar.

20 **SECTION 28.** 20.485 (1) (d) of the statutes is amended to read:

21 20.485 (1) (d) *Cemetery maintenance and beautification.* The amounts in the
22 schedule for cemetery maintenance and beautification at the Wisconsin veterans

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1 ~~memorial cemetery~~ Veterans Memorial Cemetery at the Wisconsin veterans home
2 Veterans Home at King.

NOTE: Conforms capitalization to current style.

3 **SECTION 29.** 20.485 (1) (gd) of the statutes is amended to read:

4 20.485 (1) (gd) *Veterans home cemetery operations.* All moneys received from
5 the estate of the decedents under s. 45.37 (15) (c) for the burial of veterans and
6 non-veterans in the Wisconsin ~~veterans memorial cemetery~~ Veterans Memorial
7 Cemetery at the Wisconsin ~~veterans home~~ Veterans Home at King, to be used for that
8 purpose.

NOTE: Conforms capitalization to current style.

9 **SECTION 30.** 20.485 (2) (em) of the statutes is amended to read:

10 20.485 (2) (em) *Payments related to The Highground.* From the general fund,
11 as a continuing appropriation, the amounts in the schedule to make payments under
12 s. 45.03 (3) related to the veterans memorial at The Highground in Clark ~~county~~
13 County. Moneys may not be spent from this appropriation without the approval of
14 the joint committee on finance.

NOTE: Conforms capitalization to current style.

15 **SECTION 31.** 20.680 (3) (g) of the statutes is amended to read:

16 20.680 (3) (g) *Board of bar examiners.* All moneys received from the ~~state bar~~
17 State Bar of Wisconsin, attorney licensing exam fees, and attorney licensing fees for
18 the operational expenses of the board of bar examiners.

NOTE: Conforms capitalization to current style.

19 **SECTION 32.** 20.680 (3) (h) of the statutes is amended to read:

20 20.680 (3) (h) *Board of attorneys professional responsibility.* All moneys
21 received from the ~~state bar~~ State Bar of Wisconsin and any other revenue derived
22 from the activities of the board for the operational expenses of and the expenses of

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1 disciplinary investigations and actions by the board of attorneys professional
2 responsibility.

NOTE: Conforms capitalization to current style.

3 **SECTION 33.** 20.866 (2) (zb) of the statutes is amended to read:

4 20.866 (2) (zb) *Medical college* College of Wisconsin, ~~inc.~~ Inc.; *basic science*
5 *education and health information technology facilities.* From the capital
6 improvement fund, a sum sufficient for the ~~medical college~~ Medical College of
7 Wisconsin, ~~inc.~~ Inc., to aid in the construction of a basic science education facility and
8 in the funding of a health information technology center. The state may contract
9 public debt in an amount not to exceed \$10,000,000 for these purposes.

NOTE: Conforms capitalization to current style.

10 **SECTION 34.** 20.916 (3) of the statutes is amended to read:

11 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The
12 department of health and family services, the department of corrections, and the
13 department of natural resources may, with the approval of the governor and the
14 department of administration, provide group transportation, in the absence of
15 convenient and public scheduled transportation, for employees to and from the
16 Mendota and Winnebago mental health institutes and the centers for the
17 developmentally disabled in the case of employees of the department of health and
18 family services, to the Ethan Allen School, the Taycheedah Correctional Institution,
19 and the Fox Lake Correctional Institution in the case of employees of the department
20 of corrections, and to and from its temporary branch offices located at the Nevin fish
21 hatchery Fish Hatchery grounds in the case of employees of the department of
22 natural resources. Any employee, if injured while being so transported, shall be
23 ~~deemed~~ considered to have been in the course of his or her employment.

NOTE: Conforms capitalization to current style and inserts preferred term.

1 **SECTION 35.** 20.916 (4m) of the statutes is renumbered 20.916 (4m) (b) and
2 amended to read:

3 20.916 (4m) (b) Except as otherwise provided in this subsection ~~paragraph~~, if
4 any state agency determines that ~~the~~ an employee's duties of an employee require
5 the use of a motor vehicle, and use of a personal motor vehicle is authorized by the
6 agency under similar circumstances, the agency shall authorize the employee to use
7 a personal motorcycle for such the employee's duties and shall reimburse the
8 employee for such the use of the motorcycle at rates determined biennially by the
9 secretary of employment relations under sub. (8), subject to the approval of the joint
10 committee on employment relations. No state agency may authorize an employee to
11 use or reimburse an employee for the use of a personal motorcycle under this
12 ~~subsection paragraph~~ if more than one individual is transported on the motorcycle.
13 All allowances for the use of a motorcycle shall be paid upon approval and
14 certification of the amounts payable by the head of the state agency for which the
15 employee performs duties to the department of administration. ~~In this subsection,~~
16 ~~“motoreycle” has the meaning given under s. 340.01 (32).~~

NOTE: Moves definition to a separate paragraph at the beginning of the subsection,
consistent with current style, and inserts specific references. See also the next section
of this bill.

17 **SECTION 36.** 20.916 (4m) (a) of the statutes is created to read:

18 20.916 (4m) (a) In this subsection, “motorcycle” has the meaning given under
19 s. 340.01 (32).

NOTE: See the previous section of this bill.

20 **SECTION 37.** 20.927 (1) of the statutes is renumbered 20.927 (1m).

NOTE: Accommodates the renumbering of a definition to the beginning of the
section, consistent with current style. See the next section of this bill.

ASSEMBLY BILL 934**SECTION 38**

1 **SECTION 38.** 20.927 (4) of the statutes is renumbered 20.927 (1g).

NOTE: Moves definition to the beginning of the section, consistent with current style.

2 **SECTION 39.** 24.39 (4) (h) of the statutes is amended to read:

3 24.39 (4) (h) All rights to submerged lands and rights above submerged lands
4 ceded, granted, or leased to municipalities, or other persons by ~~prior~~ acts of the state
5 ~~[1961]~~ that were effective prior to October 10, 1961, shall not be affected by this
6 subsection or by s. 30.11 (5).

NOTE: Inserts the effective date of ch. 355, laws of 1961, which created this provision, and language to clarify the applicability of this provision.

7 **SECTION 40.** 26.01 of the statutes is renumbered 26.01 (intro.) and amended
8 to read:

9 **26.01 Definition Definitions.** (intro.) In this chapter, ~~unless~~:

10 (1) Unless the context requires otherwise, “department” means the
11 department of natural resources.

NOTE: Accommodates the renumbering of s. 26.11 (2) by this bill.

12 **SECTION 41.** 26.11 (1) of the statutes is amended to read:

13 26.11 (1) The department is vested with power, authority, and jurisdiction in
14 all matters relating to the prevention, detection, and suppression of forest fires
15 outside the limits of ~~incorporated~~ villages and cities in the state except as provided
16 in sub. s. 26.01 (2), and to do all things necessary in the exercise of such power,
17 authority, and jurisdiction.

NOTE: Deletes unnecessary term. Village means an incorporated village under s. 990.01 (45). Changes cross-reference in accordance with renumbering by this bill.

18 **SECTION 42.** 26.11 (2) of the statutes is renumbered 26.01 (2) and amended to
19 read:

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1 26.01 (2) ~~The term “forest~~ “Forest fire” ~~as used in this chapter~~ means
2 uncontrolled, wild, or running fires occurring on forest, marsh, field, cutover, or other
3 lands or involving farm, city, or village property and improvements incidental to the
4 uncontrolled, wild, or running fires occurring on forest, marsh, field, cutover, or other
5 lands.

NOTE: Renumbers definition applicable to all of ch. 26 to the definitions section at
the beginning of the chapter consistent with current style.

6 **SECTION 43.** 27.11 (5) (a) of the statutes is renumbered 27.11 (5).

NOTE: Eliminates unnecessary paragraph designation. This provision is not
subdivided.

7 **SECTION 44.** 28.11 (6) (b) 4. of the statutes is amended to read:

8 28.11 (6) (b) 4. Within 90 days after completion of any cutting operation (,
9 including timber trespass), but not more than 2 years after filing the cutting notice,
10 the county shall transmit to the department on forms furnished by the department,
11 a report of merchantable wood products cut. The department may conduct such any
12 investigations on timber cutting operations as that it deems considers to be
13 advisable, including the holding of public hearings ~~thereon~~ on the timber cutting
14 operations, and may assess severance share payments accordingly.

NOTE: Replaces parentheses and disfavored terminology to improve readability
and to conform to current style.

15 **SECTION 45.** 28.11 (11) (a) of the statutes is renumbered 28.11 (11) (a) 1. and
16 amended to read:

17 28.11 (11) (a) 1. The county board may by resolution adopted by not less than
18 two-thirds of its membership make application to the department to withdraw lands
19 entered under this section. The county board shall first refer the resolution to the
20 county forestry committee, which shall consult with an authorized representative of
21 the department in formulating its withdrawal proposal. The county board shall not

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1 take final action ~~thereon~~ on the application until 90 days after ~~such~~ referral of the
2 application to the forestry committee or until the report ~~thereon~~ of the forestry
3 committee regarding the application has been filed with the board. ~~Such~~ The
4 application shall include the land description ~~and~~, a statement of the reasons for
5 withdrawal, and any restrictions or other conditions of use attached to the land
6 proposed for withdrawal.

7 2. Upon the filing of such an application to withdraw lands under subd. 1., the
8 department shall investigate the same and it may conduct a public hearing thereon
9 if it deems it advisable at such time and place as it sees fit. If requested by the county
10 in writing the department shall hold a public hearing the application. During the
11 course of its investigation the department shall make an examination of the
12 character of the land, the volume of timber, improvements, and any other special
13 values ~~and in.~~ In the case of withdrawal for the purpose of sale to any purchaser
14 other than the state or a local unit of government it, the department shall establish
15 a minimum value on the lands to be withdrawn. In making its investigation the
16 department shall give full weight and consideration to the purposes and principles
17 set forth in sub. (1), and it shall also weigh and consider the benefits to the people
18 of the state as a whole, as well as to the county, from the proposed use against the
19 benefits accruing to the people of the state as a whole and to the county under the
20 continued entry of such the lands to be withdrawn. The department may conduct a
21 public hearing on the application, if it considers it advisable, at a time and place that
22 it determines, except that if the county requests a public hearing in writing, the
23 department shall hold a public hearing.

24 3. If the department finds that the benefits after withdrawal of the lands
25 described in the application under subd. 2. outweigh the benefits under continued

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1 entry of the lands and that the lands will be put to a better and higher use, it shall
2 make an order withdrawing ~~such~~ the lands from entry; otherwise it shall deny the
3 application.

4 4. If the application is denied, the county board may, by resolution adopted by
5 not less than two-thirds of its membership, appeal to a review committee. The
6 department shall submit the findings of its investigation and of any hearing on a
7 proposed withdrawal to the committee, which shall be composed of ~~one~~ the following
8 members:

9 a. One member appointed by the county board submitting the application for
10 withdrawal; ~~one.~~

11 b. One member who is appointed by the governor, who is from another county
12 which that has land enrolled under the county forest law, ~~this member to be~~
13 ~~appointed by the governor and to~~ and who shall be chairperson of the review
14 committee; ~~one.~~

15 c. One member appointed by the department; ~~one.~~

16 d. One member appointed by the University of Wisconsin from the college of
17 agriculture; ~~and a 5th~~ College of Agricultural and Life Sciences.

18 e. One member to be selected by unanimous vote of the appointed members or
19 ~~by the governor, if they~~ the appointed members fail to achieve unanimity. ~~This, by~~
20 the governor.

21 5. The review committee appointed under subd. 4. shall, by majority vote ~~shall~~,
22 within 60 days after receiving the findings of the department, ~~either approve~~ do one
23 of the following:

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1 a. Approve the application for withdrawal if it finds the proposed use to be of
2 a greater benefit considering all losses and benefits to the people of the state as a
3 whole, as well as to the people of the county, ~~or shall provisionally.~~

4 b. Provisionally deny the application for withdrawal giving specific reasons
5 why it finds the proposal deficient and making any suggestions for revising the
6 application to reduce the conflict of the proposed use with the public interest.

7 6. If the committee approves a withdrawal under subd. 5., it shall notify the
8 county board of its approval stating, as necessary, specific procedures to be followed
9 by the county relating to such ~~the~~ the withdrawal. The county board may then by a
10 resolution approved by not less than two-thirds of its membership, withdraw the
11 lands from the county forest law and shall send copies of this resolution to the
12 department and to the county register of deeds who shall record the ~~same~~ resolution.

13 7. If the committee provisionally denies the proposed withdrawal under subd.
14 5., it may consider an amended application for withdrawal upon presentation of the
15 application and supporting information, or it may require additional investigation
16 of the amended application by the department before reconsidering the application.
17 Any additional investigation shall include additional public hearings if requested by
18 ~~either~~ the county, the department, or ~~by~~ the committee.

NOTE: Subdivides long provision, inserts specific references and cross-references,
replaces disfavored terminology, reorders text, and modifies punctuation to improve
readability and to conform to current style. Corrects and capitalizes college title.

19 **SECTION 46.** 30.207 (6) (intro.) of the statutes is renumbered 30.207 (6) (a).

NOTE: This provision is not introductory to the existing paragraph (b) that follows
it but is separate and distinct and is renumbered accordingly.

20 **SECTION 47.** 30.90 of the statutes is renumbered 30.90 (1) (a) and amended to
21 read:

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1 30.90 (1) (a) Neither the county or town may provide, nor shall any subdivider
2 be required or permitted to provide, public access to Lake Lions Lake ~~in the town of~~
3 ~~Alban, Portage County~~, if such the public access will in any way interfere with the
4 use of the lake as a recreational area for the physically handicapped ~~as long as such~~
5 ~~use is continued.~~

6 **(b)** The department may stock said lake Lake Lions with fish as long as such
7 ~~use is continued~~, any provision in ch. 29 to the contrary notwithstanding.

8 **(2)** The town board of the town of Alban shall have jurisdiction over Lake Lions,
9 and may enact and enforce such any ordinances necessary to prevent any
10 deterioration of the said waters of Lake Lions or any nuisances which that would
11 adversely affect the health or safety of the people.

NOTE: Makes lake name consistent and conforms capitalization to current style.
Reorganizes text and subdivides provision to improve readability and to conform to
current style, including moving text to a new sub. (1) (intro.) created by the next section
of this bill.

12 **SECTION 48.** 30.90 (1) (intro.) of the statutes is created to read:

13 30.90 (1) (intro.) As long as Lake Lions in the town of Alban, Portage County,
14 continues to be used as a recreational area for the physically handicapped, all of the
15 following shall apply:

NOTE: See the previous section of this bill.

16 **SECTION 49.** 33.44 (1) (f) 1. of the statutes is amended to read:

17 33.44 (1) (f) 1. Except as provided in subds. 2. and 3., one member who is not
18 a supervisor on the county board, who resides outside the city of Madison and whose
19 name is on a list of at least 2 nominees submitted to the county executive by the Dane
20 ~~county towns association~~ County Towns Association.

NOTE: Conforms capitalization to current style.

21 **SECTION 50.** 33.44 (1) (f) 2. of the statutes is amended to read:

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1 33.44 (1) (f) 2. For terms subsequent to the initial term, the person appointed
2 under this paragraph must reside outside the city of Madison and the person's name
3 must be on a list of at least 2 nominees submitted to the county executive by the Dane
4 ~~county towns association~~ County Towns Association. Unless the person has served
5 continuously as the member appointed under this paragraph for all previous terms,
6 including the initial term, the person may not be a supervisor on the county board.

NOTE: Conforms capitalization to current style.

7 **SECTION 51.** 36.25 (3) (a) of the statutes is amended to read:

8 36.25 (3) (a) The board may establish through the ~~college of agricultural and~~
9 ~~life sciences~~ College of Agricultural and Life Sciences of the University of
10 Wisconsin–Madison demonstration stations for the purpose of aiding in agricultural
11 development. The location of the stations shall be determined by the board which
12 shall consider the opportunities for agricultural development in various regions of
13 the state.

NOTE: Conforms capitalization to current style.

14 **SECTION 52.** 36.25 (3) (c) of the statutes is amended to read:

15 36.25 (3) (c) The board shall, under the supervision of the dean of the ~~college~~
16 ~~of agricultural and life sciences~~ College of Agricultural and Life Sciences of the
17 University of Wisconsin–Madison, foster research and experimentation in the
18 control of bovine brucellosis (which is also known as Bang's disease), at various
19 points within this state ~~as it deems~~ that the board considers advisable. To facilitate
20 ~~such work~~ the bovine brucellosis research and experimentation, contracts may be
21 entered into with owners of bovine animals of various classes for the supervised
22 control of the animals and for the purchase of animals under conditions to be
23 specified in ~~such~~ contracts ~~which~~ that shall be retained for control purposes.

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1 Payment ~~for such animals~~ under the contracts shall be made out of the appropriation
2 in s. 20.285 (1) (a).

NOTE: Conforms capitalization to current style. Inserts specific references, replaces parentheses, and replaces disfavored terminology to improve readability and to conform to current style.

3 **SECTION 53.** 36.25 (4) of the statutes is amended to read:

4 36.25 (4) DUTCH ELM DISEASE STUDIES. The board shall, through the college of
5 ~~agricultural and life sciences~~ College of Agricultural and Life Sciences of the
6 University of Wisconsin–Madison, authorize laboratory and field studies, research,
7 and experiments to determine the cause and control of Dutch elm disease. The
8 various departments of the state shall cooperate with the university in this program.

NOTE: Conforms capitalization to current style.

9 **SECTION 54.** 36.25 (29m) (intro.) of the statutes is amended to read:

10 36.25 (29m) ~~CENTER FOR ENVIRONMENTAL EDUCATION~~ ENVIRONMENTAL
11 EDUCATION. (intro.) There is established in the ~~college of natural resources~~ College
12 of Natural Resources at the University of Wisconsin–Stevens Point a center for
13 environmental education to assist in the development, dissemination,
14 implementation, and evaluation of environmental education programs for
15 elementary and secondary school teachers and pupils. The center shall do all of the
16 following:

NOTE: Conforms capitalization to current style.

17 **SECTION 55.** 36.25 (29m) (h) of the statutes is amended to read:

18 36.25 (29m) (h) Assist the University of Wisconsin–Stevens Point ~~college of~~
19 ~~natural resources~~ College of Natural Resources in providing opportunities for
20 teachers to complete advanced training in environmental education through the
21 college's master's degree program.

NOTE: Conforms capitalization to current style.

ASSEMBLY BILL 934**SECTION 56**

1 **SECTION 56.** 36.25 (30m) of the statutes is amended to read:

2 **36.25 (30m)** AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS. The board
3 may establish agricultural technology and family farm programs in the college of
4 ~~agriculture and life sciences~~ College of Agricultural and Life Sciences at the
5 University of Wisconsin–Madison.

NOTE: Conforms capitalization to current style and corrects name.

6 **SECTION 57.** 36.33 (4) of the statutes is amended to read:

7 **36.33 (4)** PROCEEDS. The net proceeds from the sale of agricultural lands and
8 improvements authorized by this section shall be devoted to the purchase of land and
9 construction of improvements contemplated in sub. (1) but of any excess of revenue
10 beyond the amount required for this purpose a sum not to exceed \$7,200,000 shall
11 constitute a nonlapsible fund for the purpose of erecting facilities for research and
12 instruction in animal husbandry, agricultural engineering and agriculture
13 agricultural and life sciences at the University of Wisconsin–Madison, and such
14 funds shall become available upon consent and recommendation of the board and
15 authorization by the building commission.

NOTE: Corrects name.

16 **SECTION 58.** 39.15 (1) (a) of the statutes is amended to read:

17 **39.15 (1) (a)** One–third of the members of the board of trustees of the ~~medical~~
18 ~~college~~ Medical College of Wisconsin, ~~inc.~~ Inc., shall be nominated by the governor,
19 and, with the advice and consent of the senate, appointed, for staggered 6–year terms
20 expiring on May 1.

NOTE: Conforms capitalization to current style.

21 **SECTION 59.** 39.15 (1) (b) of the statutes is amended to read:

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1 39.15 (1) (b) The ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., shall
2 give first preference in admissions to residents of this state.

NOTE: Conforms capitalization to current style.

3 **SECTION 60.** 39.15 (1) (c) of the statutes is amended to read:

4 39.15 (1) (c) The ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., shall
5 make every effort to ensure that at least 5% of the total enrollment of the college
6 consists of minority students.

NOTE: Conforms capitalization to current style.

7 **SECTION 61.** 39.15 (2) of the statutes is amended to read:

8 39.15 (2) The legislative audit bureau shall biennially postaudit expenditures
9 under s. 20.250 so as to assure the propriety of expenditures and compliance with
10 legislative intent. State affirmative action policies, rules, and practices shall be
11 applied to the ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., consistent with
12 their application to state agencies.

NOTE: Conforms capitalization to current style.

13 **SECTION 62.** 39.155 (title) and (1) of the statutes are amended to read:

14 **39.155 (title) Medical college College of Wisconsin; state aid policies.**

15 (1) Subject to sub. (3), all funds appropriated to the ~~medical college~~ Medical College
16 of Wisconsin, ~~inc.~~ Inc., under s. 20.250 (1) (a) shall be based on a per capita formula
17 for an amount for each Wisconsin resident enrolled at the college who is paying full
18 tuition. A student's qualification as a resident of this state shall be determined by
19 the higher educational aids board in accordance with s. 36.27, so far as applicable.

NOTE: Conforms capitalization to that of current style.

20 **SECTION 63.** 39.155 (2) of the statutes is amended to read:

21 39.155 (2) On or before January 15 and September 15 of each year, the ~~medical~~
22 ~~college~~ Medical College of Wisconsin, ~~inc.~~ Inc., shall submit to the higher educational

ASSEMBLY BILL 934**SECTION 63**

1 aids board for its approval a list of the Wisconsin residents enrolled at the college who
2 are paying full tuition. The state shall make semiannual payments to the ~~medical~~
3 college Medical College of Wisconsin, ~~inc.~~ Inc., from the appropriation under s.
4 20.250 (1) (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a)
5 is insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the
6 payments shall be disbursed on a prorated basis for each student entitled to such aid.
7 No more than 8 such payments may be made to the ~~medical college~~ Medical College
8 of Wisconsin, ~~inc.~~ Inc., from the appropriation under s. 20.250 (1) (a), for any
9 individual student.

NOTE: Conforms capitalization to current style.

10 **SECTION 64.** 39.155 (3) of the statutes is amended to read:

11 39.155 (3) The ~~medical college~~ Medical College of Wisconsin, ~~inc.~~ Inc., may not
12 assess tuition for a Wisconsin resident enrolled at the college in an amount that
13 exceeds the difference between the tuition assessed a nonresident student enrolled
14 at the college and the amount disbursed under s. 20.250 (1) (a) for each Wisconsin
15 resident enrolled at the college. This subsection applies only to students enrolled in
16 the class entering the college in the 1986–87 academic year and thereafter for whom
17 payments are made to the Medical College of Wisconsin, Inc., from the appropriation
18 under s. 20.250 (1) (a).

NOTE: Conforms capitalization to current style.

19 **SECTION 65.** 39.16 (intro.) of the statutes is renumbered 39.16 (1).

NOTE: This provision is not introductory to the existing subsection (2) that follows
it but is separate and distinct and is renumbered accordingly.

20 **SECTION 66.** 40.02 (48) (am) of the statutes is renumbered 40.02 (48) (am)
21 (intro.) and amended to read:

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1 40.02 (48) (am) (intro.) “Protective occupation participant” includes any
2 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)
3 and who is ~~a~~ any of the following:

4 1. A conservation warden.

5 2. A conservation patrol boat captain.

6 3. A conservation patrol boat engineer.

7 4. A conservation pilot.

8 5. A conservation patrol officer.

9 6. A forest fire control assistant.

10 7. A member of the state traffic patrol.

11 8. A state motor vehicle inspector.

12 9. A police officer.

13 10. A fire fighter.

14 11. A sheriff.

15 12. An undersheriff.

16 13. A deputy sheriff.

17 14. A state probation and parole officer.

18 15. A county traffic police officer.

19 16. A state forest ranger.

20 17. A fire watcher employed at Wisconsin veterans facilities.

21 18. A state correctional-psychiatric officer.

22 19. An excise tax investigator employed by the department of revenue.

23 20. A special criminal investigation agent in the department of justice.

24 21. An assistant or deputy fire marshal.

25 22. A person employed under s. 61.66 (1).

ASSEMBLY BILL 934**SECTION 66**

NOTE: Subdivides long sentence for improved readability and greater conformity with current style.

1 **SECTION 67.** 41.41 (4) (c) of the statutes is amended to read:

2 41.41 (4) (c) The department of agriculture, trade and consumer protection, the
3 department of natural resources, the department of transportation, the department
4 of commerce, the department of administration, the state historical society, and the
5 university ~~University of Wisconsin-extension~~ Wisconsin-Extension shall cooperate
6 with and assist the board in matters related to its functions.

NOTE: Conforms capitalization to current style.

7 **SECTION 68.** 43.17 (10) of the statutes is amended to read:

8 43.17 (10) **BORROWERS' CARDS.** Except as provided in sub. (11), all public libraries
9 in a public library system shall honor the valid borrowers' cards of a public library
10 in an adjacent public library system, other than the Milwaukee county federated
11 ~~library system~~ County Federated Library System. The requirement under this
12 subsection does not apply to the Milwaukee County Federated Library System.

NOTE: Conforms capitalization to current style.

13 **SECTION 69.** 45.001 of the statutes is created to read:

14 **45.001 Definitions.** In this chapter, unless the context otherwise requires:

15 (2) "Department" means the department of veterans affairs.

16 (3) "Secretary" means the secretary of veterans affairs.

NOTE: Creates definitions applicable to the entire chapter for terms used throughout the chapter.

17 **SECTION 70.** 45.012 of the statutes, as affected by 2001 Wisconsin Act 16,
18 section 1448, is renumbered 45.001 (1) and amended to read:

19 45.001 (1) **Definition.** ~~In this subchapter, "board"~~ "Board" means the board
20 of veterans affairs.

NOTE: This bill creates, as the first section in ch. 45, s. 45.001, a section for definitions applicable to all of ch. 45, consistent with current style.

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1 **SECTION 71.** 45.014 of the statutes, as affected by 2001 Wisconsin Act 16, section
2 1441, is amended to read:

3 **45.014 Wisconsin veterans museum.** The department of administration
4 shall provide suitable space for the purpose of a memorial hall, designated as the
5 Wisconsin veterans museum Veterans Museum, dedicated to the men and women of
6 Wisconsin who served in the armed forces of the United States in the civil war of 1861
7 to 1865 or who meet one of the conditions listed in s. ~~45.35 (5) (a) 1. a. to d.~~ 45.001
8 (4) (a) 1. a. to d., and the department of veterans affairs shall operate and conduct
9 the Wisconsin veterans museum Veterans Museum. The mission of the Wisconsin
10 veterans museum Veterans Museum is to acknowledge, commemorate, and affirm
11 the role of Wisconsin veterans in the United States of America's military past by
12 means of instructive exhibits and other educational programs.

NOTE: Section 45.35 (5) (a) is renumbered to s. 45.001 (4) (a) by this bill. Conforms capitalization to current style. Section 45.01 was renumbered 45.014 by 2001 Wisconsin Act 16.

13 **SECTION 72.** 45.02 of the statutes is renumbered 45.02 (intro.) and amended to
14 read:

15 **45.02 Memorial collection.** (intro.) The battle flags of Wisconsin units
16 serving in the nation's wars, and all relics and mementos of such the nation's wars
17 donated to or otherwise acquired by the state for display in the Wisconsin veterans
18 museum Veterans Museum shall constitute the memorial collection. The
19 department of veterans affairs shall catalog do all of the following:

20 (1) Catalog and identify all war relics and mementos of the memorial collection,
21 restore,

22 (2) Restore, preserve, and safeguard such items, procure the relics and
23 mementos of the memorial collection.

ASSEMBLY BILL 934**SECTION 72**

1 **(3)** Procure additions to such the memorial collection, ~~provide.~~

2 **(4)** Provide proper display equipment, and ~~to so~~ display such the memorial
3 collection as to make it instructive and attractive to visitors.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill. Inserts specific references and subdivides provision to improve readability and to conform to current style. Conforms the form of the (intro.) and capitalization to current style.

4 **SECTION 73.** 45.03 (1) (intro.) and (b) of the statutes are consolidated,
5 renumbered 45.03 (1) and amended to read:

6 45.03 (1) In this section: ~~(b)~~ "Persian Gulf war" means the period of conflict
7 designated by the president of the United States as Operation Desert Shield and
8 Operation Desert Storm and any operation that is a successor to Operation Desert
9 Shield or Operation Desert Storm.

NOTE: This bill repeals section 45.03 (1) (a). Since par. (b) is the only remaining paragraph, the (intro.) and par. (b) are combined.

10 **SECTION 74.** 45.03 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s. 45.001 (2), which defines "department" for all of ch. 45.

11 **SECTION 75.** 45.03 (2) of the statutes is amended to read:

12 45.03 (2) From the appropriation under s. 20.485 (2) (d), the department shall
13 provide funding to the Wisconsin Vietnam ~~veterans memorial project, inc.~~ Veterans
14 Memorial Project, Inc., for the construction of 3 memorials, as defined in s. 45.04 (1)
15 (c), one memorial for the veterans of World War I, one memorial for the veterans of
16 World War II, and one memorial for the veterans of the Persian Gulf war. The
17 memorials shall be constructed at the veterans memorial site located at The
18 Highground in Clark County. The department may expend up to \$45,000 for the
19 memorial for the veterans of World War I, up to \$85,000 for the memorial for the
20 veterans of World War II, and up to \$60,000 for the memorial for the veterans of the

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1 Persian Gulf war. If the moneys available under this section to construct one of these
2 memorials are in excess of the moneys needed to construct that memorial, and if the
3 moneys available under this section to construct another one of these memorials are
4 insufficient to construct that memorial, the department, with the approval of the
5 joint committee on finance, may allocate the excess moneys to construct the
6 memorial that is insufficiently funded.

NOTE: Conforms capitalization to current style.

7 **SECTION 76.** 45.04 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of “department” made unnecessary by the creation of s.
45.001 (2), which defines “department” for all of ch. 45.

8 **SECTION 77.** 45.04 (1) (d) of the statutes is repealed.

NOTE: Repeals definition of “secretary” made unnecessary by the creation of s.
45.001 (3), which defines “secretary” for all of ch. 45.

9 **SECTION 78.** 45.052 (1) (c) of the statutes is amended to read:

10 45.052 (1) (c) It may convey any property under its control to any municipality
11 and lease it back under terms agreed upon by the commission or board of trustees
12 and the municipality.

NOTE: Inserts specific board. “Board” in ch. 45 is defined as the board of veterans
affairs, unless qualified, by s. 45.001 (1).

13 **SECTION 79.** 45.059 of the statutes is amended to read:

14 **45.059 Catalog of memorials.** The department of ~~veterans affairs~~ shall
15 prepare a catalog of memorials, describing each memorial and giving its location and
16 condition. The department shall update that catalog.

NOTE: “Department” in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

17 **SECTION 80.** 45.12 (1) of the statutes is amended to read:

18 45.12 (1) There is created in each county a “~~County Veterans’ Service~~
19 ~~Commission~~ county veterans’ service commission consisting of 3 residents of the

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1 county who are veterans appointed for staggered 3-year terms by the county
2 executive or county board chairperson in a county ~~which~~ that does not have a county
3 executive.

NOTE: Conforms punctuation and capitalization to current style.

4 SECTION 81. 45.14 (1) of the statutes is amended to read:

5 45.14 (1) ~~Such~~ In this section, "commission" means the county veterans' service
6 commission.

7 (1m) The commission shall meet, at the courthouse or at ~~such~~ any other place
8 as ~~that~~ the county board shall designate designates, on or before the first Monday
9 of January in each year and at ~~such~~ any other times as ~~that~~ may be necessary.

NOTE: Inserts specific reference and modernizes language to improve readability
and to conform to current style.

10 SECTION 82. 45.14 (2) of the statutes is renumbered 45.14 (2) (a) and amended
11 to read:

12 45.14 (2) (a) Except as provided under sub. (3), the commission may furnish aid
13 to any person within s. 45.10 if the right of ~~such~~ that person to aid ~~shall be~~ is
14 established to ~~its~~ the commission's satisfaction.

15 (b) The secretary of the commission shall make and deposit with the county
16 clerk a list containing the name, place of residence, and ~~the~~ amount to be paid to each
17 ~~such~~ person furnished with aid under par. (a), which shall be signed by the
18 chairperson and secretary of the commission.

19 (c) The total disbursements made by the commission under this subsection
20 shall not exceed the amount collected from the tax levied. When ~~such lists are~~ a list
21 under par. (b) is filed, the county clerk shall issue an order upon the county treasurer
22 for the sum designated ~~therein~~ in the list in each case and deliver ~~it~~ that sum to the
23 person entitled ~~thereto~~ to that sum.

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1 (d) The commission may furnish aid in a different manner than by supplying
2 money. The commission may request the county clerk to issue an order upon the
3 county treasurer to a purveyor of services or commodities for the purchase of such
4 services or commodities, or the commission may furnish such supplies, as it deems
5 considers best.

6 (e) The commission shall make a detailed report to the county board at each
7 annual session ~~thereof~~ of the county board showing the amount expended under this
8 subsection.

NOTE: Subdivides provision, creates a definition, inserts specific references and cross-references, and modifies language and punctuation to improve readability and to conform to current style.

9 **SECTION 83.** 45.185 (2) and (3) of the statutes are amended to read:

10 45.185 (2) ~~Such~~ The municipal governing bodies specified in sub. (1) shall
11 report to the county clerk of their respective counties, on or before September 1 of
12 each year, the respective locations of the graves ~~so taken care of~~ cared for by them
13 under sub. (1), together with the ~~name~~ names of the deceased and the amount
14 claimed for ~~such care of the graves~~ for ~~a~~ the fiscal year from the previous July 1 to
15 June 30.

16 (3) The chairperson of the county board and the county clerk of ~~such county~~,
17 upon receipt of ~~such~~ the report under sub. (2), shall draw an order on the county
18 treasurer for the amount of the expenses ~~so incurred in caring for the graves~~, payable
19 to the person or persons designated in ~~said~~ the report as being entitled thereto.

NOTE: Inserts specific references and cross-references, specifies that the board in sub. (3) is the county board, and otherwise modifies text and punctuation to improve readability and to conform to current style.

20 **SECTION 84.** 45.19 of the statutes is amended to read:

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SECTION 84

1 **45.19 Military honors funerals.** The department of veterans affairs shall
2 administer a program to coordinate the provision of military honors funerals to
3 deceased veterans by local units of member organizations of the council on veterans
4 programs and by members of the Wisconsin national guard activated under s. 21.11
5 (3). From the appropriation under s. 20.485 (2) (q), the department shall reimburse
6 a local unit of a member organization of the council on veterans programs for the
7 costs of providing a military honors funeral to a deceased veteran. The
8 reimbursement may not exceed \$50 for each military honors funeral.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

9 **SECTION 85.** 45.21 of the statutes is amended to read:

10 **45.21 Registration of certificate of discharge.** Every person who has
11 served in the U.S. armed forces at any time, and who has been honorably discharged
12 or given a certificate of service or relieved from active service may record with the
13 register of deeds of any county, in a suitable book provided by the county for that
14 purpose, a certificate of discharge or release. The certificate shall be accessible only
15 to the discharged person or that person's dependents, the county veterans' service
16 officer, ~~the department of veterans affairs~~, or any person with written authorization
17 ~~from the person discharged person or that person's dependents~~. The register of deeds
18 may not charge for recording, except that in counties where the register of deeds is
19 under the fee system and not paid a fixed salary, the county shall pay the fee specified
20 in s. 59.43 (2) (ag). The record of any ~~such~~ certificate heretofore of discharge or
21 release made prior to July 6, 1919, is hereby legalized.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill. Inserts specific references and the effective date
of the last sentence to improve clarity and readability.

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1 **SECTION 86.** 45.25 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is
2 amended to read:

3 45.25 (1) **ADMINISTRATION.** The department ~~of veterans affairs~~ shall administer
4 a tuition and fee reimbursement program for eligible veterans enrolling as
5 undergraduates in any institution of higher education, as defined in s. 45.396 (1) (a),
6 in this state, enrolling in a school that is approved under s. 45.35 (9m), enrolling in
7 a proprietary school that is approved under s. 45.54, or receiving a waiver of
8 nonresident tuition under s. 39.47.

 NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

9 **SECTION 87.** 45.34 (2) (e) 3. of the statutes is amended to read:

10 45.34 (2) (e) 3. Between August 1, 1990, and the ending date of Operation
11 Desert Shield or Operation Desert Storm, as established by the department of
12 ~~veterans affairs~~ by rule.

 NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

13 **SECTION 88.** 45.34 (2) (f) 3. of the statutes, as created by 2001 Wisconsin Act
14 22, is amended to read:

15 45.34 (2) (f) 3. Between September 11, 2001, and the ending date of Operation
16 Enduring Freedom or an operation that is a successor to Operation Enduring
17 Freedom, as established by the department ~~of veterans affairs~~ by rule.

 NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

18 **SECTION 89.** 45.34 (4) of the statutes is amended to read:

19 45.34 (4) **SERVICE IN SOMALIA.** A person shall be considered to have served in
20 Somalia if the person was on active duty in the U.S. armed services in Somalia or in
21 territorial waters adjacent to Somalia under honorable conditions between.

ASSEMBLY BILL 934**SECTION 89**

1 December 9, 1992, and the ending date of Operation Restore Hope, as established by
2 the department of veterans affairs by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

3 **SECTION 90.** 45.34 (5) (c) of the statutes is amended to read:

4 45.34 (5) (c) Between December 1, 1995, and the ending date of Operation
5 Balkan Endeavor or a successor operation, as established by the department of
6 veterans affairs by rule.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

7 **SECTION 91.** 45.348 (1) of the statutes is created to read:

8 45.348 (1) In this section and ss. 45.35, 45.351, and 45.356 unless otherwise
9 modified, "child" means any natural child, any legally adopted child, any stepchild
10 or child if a member of the veteran's household, or any nonmarital child if the veteran
11 acknowledges paternity or paternity has been otherwise established.

NOTE: Moves the definition of "child" applicable to ss. 45.35, 45.351, and 45.356,
previously a part of the definition of "dependent" in s. 45.35 (5m), to a separate provision
for easier access. The definition of "dependent" is renumbered to s. 45.348 (2) by this bill.

12 **SECTION 92.** 45.35 (3d) (b) of the statutes, as affected by 2001 Wisconsin Act 16,
13 is amended to read:

14 45.35 (3d) (b) The council on veterans programs and the department, jointly
15 or separately, shall submit a report regarding the council on veterans programs to
16 the chief clerk of each house of the legislature for distribution to the legislature under
17 s. 13.172 (2) by November 1, 1989, and by September 30 of every odd-numbered year
18 thereafter. The report shall include a general summary of the activities and
19 membership over the past 2 years of the council and each organization on the council.

NOTE: An outdated transition provision is deleted.

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1 **SECTION 93.** 45.35 (4) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 45.35 (4) (a) The secretary shall appoint under the classified service such
4 persons as are necessary to carry out the policy of the board and for the proper
5 conduct of the Wisconsin ~~veterans museum~~ Veterans Museum. All persons
6 appointed by the department shall, if possible, be veterans as defined in sub. (5) and
7 preference shall be given to disabled veterans.

NOTE: Conforms capitalization to current style.

8 **SECTION 94.** 45.35 (5) (title) of the statutes is repealed and recreated to read:

9 45.35 (5) (title) SPOUSES AND DEPENDENTS ENTITLEMENT TO BENEFITS.

NOTE: See the treatment of s. 45.35 (5) (d) by SECTION 98 this bill.

10 **SECTION 95.** 45.35 (5) (a) of the statutes is renumbered 45.001 (4) (a), and 45.001
11 (4) (a) (intro.), 1. (intro.) and a. to c. and 2. (intro.) and a., as renumbered, are
12 amended to read:

13 45.001 (4) (a) (intro.) ~~“Veteran” as used in this chapter, except~~ Except as used
14 in s. 45.358 or 45.37 and or subch. II or unless otherwise modified, and except as
15 provided in par. (b), “veteran” means any person who has served on active duty under
16 honorable conditions in the U.S. armed forces or in forces incorporated as part of the
17 U.S. armed forces, except service on active duty for training purposes, and who meets
18 all of the following conditions:

19 1. (intro.) ~~The person~~ Except as provided in par. (c), is a resident of and living
20 in this state at the time of making application, or is deceased, and meets one of the
21 following conditions:

22 a. Has served in Bosnia, Grenada, Lebanon, Panama, Somalia, or a Middle
23 East crisis under s. 45.34.

ASSEMBLY BILL 934**SECTION 95**

1 b. Was entitled to receive the armed forces expeditionary medal, established
2 by executive order 10977 on December 4, 1961, the Vietnam service medal
3 established by executive order 11231 on July 8, 1965, the navy expeditionary medal,
4 or the marine corps expeditionary medal.

5 c. Has served for 90 days or more during a war period ~~as enumerated under par.~~
6 ~~(e) or~~ under section 1 of executive order 10957 dated August 10, 1961, or if having
7 served less than 90 days was honorably discharged for a service-connected disability
8 or for a disability subsequently adjudicated to have been service connected or died
9 in service.

10 2. (intro.) ~~The person~~ Except as provided in par. (c), is a resident of and living
11 in this state at the time of making application or is deceased, and meets one of the
12 following conditions:

13 a. His or her selective service local board, if any, and home of record at the time
14 of entry or reentry into active service as shown on the veteran's report of separation
15 from the U.S. armed forces for a qualifying period were in this state.

NOTE: This bill creates, as the first section in ch. 45, s. 45.001, a section for definitions applicable to all of ch. 45, consistent with current style. Excepts statutes that contain a different definition of "veteran." Reorders text to improve readability and to conform to current style.

16 **SECTION 96.** 45.35 (5) (b) of the statutes is renumbered 45.001 (4) (b).

NOTE: Moves a part of the definition of "veteran" applicable to all of ch. 45 to the beginning of the chapter, consistent with current style.

17 **SECTION 97.** 45.35 (5) (c) of the statutes is renumbered 45.001 (4) (c).

NOTE: Moves a part of the definition of "veteran" applicable to all of ch. 45 to the beginning of the chapter, consistent with current style.

18 **SECTION 98.** 45.35 (5) (d) of the statutes is renumbered 45.35 (5).

NOTE: Sub. (5) (a) to (c) make up the definition of "veteran" as used in ch. 45 and are renumbered to s. 45.001 by this bill. This provision does not fit within the definition of veteran and is not renumbered.

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1 **SECTION 99.** 45.35 (5) (e) (intro.) of the statutes is renumbered 45.001 (5) (intro.)
2 and amended to read:

3 45.001 (5) (intro.) The “War period” means any of the following are designated
4 as war periods:

NOTE: Moves the definition of “war period” applicable to all of ch. 45 to the beginning of the chapter and rearranges text, consistent with current style.

5 **SECTION 100.** 45.35 (5) (e) 1. to 7. of the statutes are renumbered 45.001 (5) (a)
6 to (g).

NOTE: Moves the definition of “war period” applicable to all of ch. 45 to the beginning of the chapter.

7 **SECTION 101.** 45.35 (5) (e) 8. of the statutes, as affected by 2001 Wisconsin Act
8 16, is renumbered 45.001 (5) (h).

NOTE: Moves the definition of “war period” applicable to all of ch. 45 to the beginning of the chapter.

9 **SECTION 102.** 45.35 (5) (e) 9. of the statutes, as created by 2001 Wisconsin Act
10 22, is renumbered 45.001 (5) (i).

NOTE: Moves the definition of “war period” applicable to all of ch. 45 to the beginning of the chapter.

11 **SECTION 103.** 45.35 (5m) (title) of the statutes is renumbered 45.348 (title) and
12 amended to read:

13 **45.348 (title) Dependent and child defined for ss. 45.35, 45.351, and**
14 **45.356.**

NOTE: See the next section of this bill.

15 **SECTION 104.** 45.35 (5m) (a) and (b) of the statutes are renumbered 45.348 (2)
16 (a) and (b) and amended to read:

17 45.348 (2) (a) “Dependent” of a veteran as used in this section and In ss. 45.35
18 and 45.351 and 45.356, “dependent” includes only any of the following:

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1 1. A ~~wife or husband~~ spouse, an unremarried widow or widower~~s~~, or a divorced
2 ~~wife spouse, but only when if the divorced spouse is~~ receiving benefits under a court
3 order.

4 2. Any child of the veteran under 18 years of age, or under the age of 26 if in
5 full attendance at a recognized school of instruction, or of any age if incapable of
6 self-support by reason of mental or physical disability. ~~“Child” as used in this section~~
7 ~~means any natural child, any legally adopted child, any stepchild or child if a member~~
8 ~~of the veteran’s household or any nonmarital child if the veteran acknowledges~~
9 ~~paternity or the same has been otherwise established.~~

10 3. The ~~natural mother or natural father~~ parent or a person to whom the veteran
11 stands in the place of a parent and who has so stood for not less than 12 months prior
12 to the veteran’s entrance into active service.

13 4. A ~~minor sister or minor brother~~ sibling or a ~~brother or sister~~ sibling of any
14 age if incapable of self-support by reason of mental or physical disability.

15 (b) For purposes of defining “dependent” under ~~this subsection~~ par. (a),
16 “veteran” includes a person who served on active duty under honorable conditions
17 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces,
18 who was a resident of this state at the time of entry or reentry into active duty and
19 who died while on active duty ~~if that~~ the person’s death was not the result of the
20 ~~veteran’s willful~~ person’s willful misconduct.

NOTE: Moves the definition of “dependent” applicable to multiple sections to a separate section for easier access. The definition of “child” is deleted from the definition of “dependent” and recreated as a separate definition by this bill as s. 45.348 (1). See SECTION 91 of this bill. Dependent is not used in s. 45.356 and that cross-reference is deleted. Gender neutral terms are inserted pursuant to s. 13.93 (1) (m) 2. Amends punctuation and inserts specific references and cross-references to improve readability and to conform to current style.

21 **SECTION 105.** 45.35 (6) of the statutes is amended to read:

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1 45.35 (6) COORDINATION DUTIES. The department shall coordinate the activities
2 of all state agencies and the University of Wisconsin Hospitals and Clinics Authority
3 performing functions relating to the medical, hospital, or other remedial care,
4 placement and training, and educational, economic, or vocational rehabilitation of
5 persons who served in the armed forces of the United States at any time and who
6 were honorably discharged, including such persons with disabilities whether or not
7 service-connected or war-connected. In particular ~~it~~, the department shall
8 coordinate the activities of the technical college system board, state selective service
9 administration, department of health and family services, department of workforce
10 development, department of public instruction, the University of Wisconsin System
11 and other educational institutions, the University of Wisconsin Hospitals and
12 Clinics Authority, and all other departments or agencies performing any of the
13 functions specified, to the end that the benefits provided in this section may be made
14 available to veterans as promptly and effectively as possible.

NOTE: Replaces pronoun with specific reference to improve readability.

15 **SECTION 106.** 45.35 (13) (b) of the statutes is amended to read:

16 45.35 (13) (b) The department may also receive moneys or other gifts and
17 bequests in its name for the benefit of the Wisconsin ~~veterans museum~~ Veterans
18 Museum. All moneys so received shall be deposited in the state treasury and credited
19 to the veterans trust fund and is appropriated ~~therefrom~~ from s. 20.485 (2) (zm)
20 to the department to be used, as far as practicable in accordance with the wishes of
21 the donors, and in accordance with the policies adopted by the board.

NOTE: Conforms capitalization to current style. Removes unnecessary language regarding appropriation.

22 **SECTION 107.** 45.35 (17) (c) 1. of the statutes is renumbered 45.35 (17) (c) 1m.

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NOTE: Accommodates the renumbering of s. 45.35 (17) (c) 4. to s. 45.35 (17) (c) 1g. by this bill.

1 **SECTION 108.** 45.35 (17) (c) 3. of the statutes is amended to read:

2 45.35 (17) (c) 3. The department shall incorporate the payment acceleration
3 requirements of subd. 1. 1m. in all loan documents for programs administered by the
4 department under s. 45.351 or subch. II.

NOTE: Subdivision 1. is renumbered to subd. 1m. by this bill.

5 **SECTION 109.** 45.35 (17) (c) 4. of the statutes is renumbered 45.35 (17) (c) 1g.

NOTE: Renumbers a definition to the beginning of the section and modifies language, consistent with current style.

6 **SECTION 110.** 45.351 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is renumbered 45.351 (1) (a) and amended to read:

8 45.351 (1) (a) The department may grant subsistence aid to any incapacitated
9 individual who is a veteran or a dependent of a veteran in an amount that the
10 department determines is advisable to prevent want or distress. The department
11 may grant subsistence aid under this ~~subsection~~ paragraph to an individual whose
12 incapacitation is the result of the individual's abuse of alcohol or other drugs if the
13 individual is participating in an alcohol and other drug abuse treatment program
14 that is approved by the department. The department may grant subsistence aid on
15 a month-to-month basis or for a 3-month period. The department may grant
16 subsistence aid for a 3-month period if the veteran or dependent whose incapacity
17 is the basis for the aid will be incapacitated for more than 3 months and if earned or
18 unearned income or aid from sources other than those listed in the application will
19 not be available in the 3-month period. Subsistence aid is limited to a maximum of
20 3 months in a 12-month period unless the department determines that the need for

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1 subsistence aid in excess of this maximum time period is caused by the aid recipient's
2 relapse.

3 (b) The department may submit a request to the joint committee on finance for
4 supplemental funds from the veterans trust fund to be credited to the appropriation
5 account under s. 20.485 (2) (vm) for subsistence grants to veterans. If the
6 cochairpersons of the committee do not notify the secretary of the department within
7 14 working days after the date of the department's submittal that the committee
8 intends to schedule a meeting to review the request, the appropriation account shall
9 be supplemented as provided in the request. If, within 14 working days after the date
10 of the department's submittal, the cochairpersons of the committee notify the
11 secretary of the department that the committee intends to schedule a meeting to
12 review the request, the appropriation account shall be supplemented only as
13 approved by the committee.

NOTE: Subdivides long provision for improved readability. "Secretary" in ch. 45 is defined as the secretary of veterans affairs by s. 45.001 (3), which is created by this bill.

14 **SECTION 111.** 45.356 (1m) of the statutes is repealed.

NOTE: Repeals definitions of "department" and "veteran" made unnecessary by the creation of s. 45.001, which defines those terms for all of ch. 45.

15 **SECTION 112.** 45.356 (2) of the statutes is amended to read:

16 45.356 (2) The department may lend a veteran, a veteran's unremarried
17 spouse, or a deceased veteran's child who meets the requirements of s. 45.35 (5m) (a)
18 2. not more than \$15,000, or a lesser amount established by the department by rule,
19 for the purchase of a mobile home, business, or business property, the education of
20 the veteran or his or her the veteran's spouse or children, the payment of medical or
21 funeral expenses, the payment under sub. (6) (c), or the consolidation of debt. The
22 department may prescribe loan conditions, but the term of the loan may not exceed

ASSEMBLY BILL 934**SECTION 112**

1 10 years. The department shall ensure that the proceeds of any loan made under this
2 section shall first be applied to pay any delinquent child support or maintenance
3 payments and then to pay any past support, medical expenses, or birth expenses.

NOTE: This bill incorporates the requirements for a child in s. 45.35 (5m) (a) 2. into a definition at s. 45.348 that is applicable to this section, which renders the text deleted by this section unnecessary. Punctuation is amended and a specific reference replaces pronouns to improve readability and to conform to current style.

4 **SECTION 113.** 45.356 (3) of the statutes is amended to read:

5 45.356 (3) The department may lend not more than \$15,000, or a lesser amount
6 established by the department by rule, to a veteran's remarried surviving spouse or
7 to the parent of a deceased veteran's child for the education of a child who meets the
8 requirements of s. 45.35 (5m) (a) 2.

NOTE: This bill incorporates the requirements for a child in s. 45.35 (5m) (a) 2. into a definition at s. 45.348 that is applicable to this section, which renders the text deleted by this section unnecessary.

9 **SECTION 114.** 45.357 (1) of the statutes is amended to read:

10 45.357 (1) The department of ~~veterans affairs~~ shall administer a program to
11 provide assistance to persons who served in the U.S. armed forces or in forces
12 incorporated as part of the U.S. armed forces and who were discharged under
13 conditions other than dishonorable. The department shall provide assistance to
14 persons whose need for services is based upon homelessness, incarceration, or other
15 circumstances designated by the department by rule. The department shall
16 designate the assistance available under this section, which may include assistance
17 in receiving medical care, dental care, education, employment, and transitional
18 housing. The department may provide grants to facilitate the provision of services
19 under this section.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill.

20 **SECTION 115.** 45.358 (2) of the statutes is amended to read:

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1 45.358 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to
2 authorization under ss. 13.48 (10) and 20.924 (1), the department of ~~veterans affairs~~
3 may construct and operate veterans cemeteries in northwestern and southeastern
4 Wisconsin and may employ such any personnel as that are necessary for the proper
5 management of the cemeteries. The cemetery in southeastern Wisconsin is the
6 Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern
7 Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department
8 may acquire, by gift, purchase, or condemnation, lands necessary for the purposes
9 of the cemeteries. Title to the properties shall be taken in the name of this state.
10 Every deed of conveyance shall be immediately recorded in the office of the proper
11 register of deeds and thereafter filed with the secretary of state. All cemeteries
12 operated by the department are exempt from the requirements of ss. 157.061 to
13 157.70 and 440.90 to 440.95.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

14 **SECTION 116.** 45.358 (4) of the statutes is amended to read:

15 45.358 (4) GIFTS, GRANTS, AND BEQUESTS. The department of ~~veterans affairs~~
16 may accept for the state all gifts, grants, and bequests for the purposes of
17 maintenance, restoration, preservation, and rehabilitation of the veterans
18 cemeteries constructed under sub. (2).

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

19 **SECTION 117.** 45.36 (title) of the statutes is amended to read:

20 **45.36 (title) Release of information and records by the department of**
21 **~~veterans affairs and by county veterans' service offices.~~**

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill. "By" is added for clarification.

ASSEMBLY BILL 934**SECTION 118**

1 **SECTION 118.** 45.36 (1) (a) of the statutes is repealed.

NOTE: Repeals definition of “department” made unnecessary by the creation of s. 45.001 (2), which defines “department” for all of ch. 45.

2 **SECTION 119.** 45.36 (6) of the statutes is amended to read:

3 45.36 (6) DISCLOSURE OF OTHER INFORMATION. Except as provided in subs. (2) to
4 (5), all files, records, reports, papers, and documents pertaining to applications for
5 benefits from the department, and information contained therein, shall only be
6 released by the department or service office only pursuant to rules of the department.
7 The rules must provide for the furnishing of information required under sub. (5m)
8 and for official purposes by any agency of the U.S. government, by any agency of this
9 state, by any law enforcement or public welfare agency of any Wisconsin county, or
10 by members of the state senate and assembly, ~~and~~. The rules will otherwise provide
11 for release of personal information pertaining to or contained in any application for
12 benefits, whether pending or adjudicated, ~~only where~~ when authorized in writing by
13 the applicants or ~~where~~ when necessary to assist applicants in securing veterans
14 benefits ~~to which they~~ that the applicants may be entitled to or ~~where~~ when
15 necessary for the efficient management of loans made by the department.

NOTE: Reorganizes and replaces language and punctuation to improve readability, sentence agreement, and conformity with current style.

16 **SECTION 120.** 45.365 (1) (a) 1. of the statutes is repealed.

NOTE: Repeals definition of “department” made unnecessary by the creation of s. 45.001 (2), which defines “department” for all of ch. 45.

17 **SECTION 121.** 45.37 (1a) of the statutes is amended to read:

18 45.37 (1a) DEFINITION OF VETERAN. Except as provided in sub. (15) (a) and (b),
19 in this section “veteran” has the meaning given in s. 45.35 (5) (a) 45.001 (4) (a) or
20 means any person who served on active duty under honorable conditions in the U.S.
21 armed forces or in forces incorporated as part of the U.S. armed forces for at least one

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1 day during a war period, ~~as defined in s. 45.35 (5) (e)~~ or under section 1 of executive
2 order 10957, dated August 10, 1961, and who was officially reported missing in
3 action or killed in action or who died in service, or who was discharged under
4 honorable conditions after 90 days or more of active service, or if having served less
5 than 90 days was honorably discharged for a service-connected disability or for a
6 disability subsequently adjudicated to have been service connected, or who died as
7 a result of a service-connected disability.

NOTE: Section 45.35 (5) (a) is renumbered to s. 45.001 (4) (a) by this bill. Section
45.35 (5) (e), the definition of “war period,” is renumbered to s. 45.001 (5) and made
applicable to all of ch. 45, rendering the second stricken phrase unnecessary.

8 **SECTION 122.** 45.37 (9d) of the statutes is amended to read:

9 **45.37 (9d) MEDICAL ASSISTANCE PAYMENTS.** All moneys received under title XIX
10 of the ~~social security act~~ Social Security Act for the care of members shall be
11 transferred to the appropriation under s. 20.485 (1) (gk).

NOTE: Conforms capitalization to current style.

12 **SECTION 123.** 45.375 (1) of the statutes is amended to read:

13 **45.375 (1)** The department ~~of veterans affairs~~ may establish a hospital at the
14 Wisconsin Veterans Home at King.

NOTE: “Department” in ch. 45 is defined as the department of veterans affairs by
s. 45.001 (2), which is created by this bill.

15 **SECTION 124.** 45.38 (2) (d) of the statutes is amended to read:

16 **45.38 (2) (d)** All powers and duties conferred upon the board or the department
17 pursuant to this section shall be exercised and performed by resolution of the board.
18 All conveyances, leases, and subleases made pursuant to this section, when
19 authorized pursuant to resolution of the board, shall be made, executed, and
20 delivered in the name of the department ~~of veterans affairs~~ and shall be signed by
21 the director and sealed with the seal of the department.

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NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill.

1 **SECTION 125.** 45.385 of the statutes is amended to read:

2 **45.385 Veterans residential, treatment, and nursing care facilities.**

3 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of
4 ~~veterans affairs~~ may construct or renovate and operate residential, treatment, and
5 nursing care facilities in southeastern Wisconsin, including a community-based
6 residential facility, to be known as the Southern Wisconsin Veterans Retirement
7 Center. The department may employ ~~such~~ any personnel as that are necessary for
8 the proper management of the Southern Wisconsin Veterans Retirement Center.
9 The department may acquire by gift, purchase, or condemnation lands necessary for
10 the purposes of the Southern Wisconsin Veterans Retirement Center. Title to any
11 properties acquired under this section shall be taken in the name of this state. Every
12 deed of conveyance shall be immediately recorded in the office of the proper register
13 of deeds and filed with the secretary of state.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs by s. 45.001 (2), which is created by this bill.

14 **SECTION 126.** 45.42 (1) of the statutes is renumbered 45.42 (1) (intro.) and
15 amended to read:

16 45.42 (1) (intro.) The department may compile a record of the veteran's burial
17 places located within the state of persons who meet the definition of a "veteran"
18 under s. 45.35 (5) (a). ~~The record that may, so far as practicable, may indicate the~~
19 all of the following information:

20 (a) The deceased veteran's name of each person; the,

21 (b) The service in which the deceased veteran was engaged; the,

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1 (c) The appropriate designation of the deceased veteran's armed forces unit;
2 the.

3 (d) The deceased veteran's rank and period of service; the.

4 (e) The name and location of the cemetery or other place in which the deceased
5 veteran's body is interred; the.

6 (f) The location of the deceased veteran's grave in the cemetery or other place;
7 and the of interment.

8 (g) The character of the headstone or other marker, if any, at the deceased
9 veteran's grave.

NOTE: Eliminates unnecessary cross-reference to the definition of "veteran," inserts specific references, and subdivides provision for improved readability and conformity with current style.

10 **SECTION 127.** 45.42 (2) of the statutes is amended to read:

11 45.42 (2) The department may ~~have prepare~~ prepare blank forms ~~prepared whereby for~~
12 the transmission to the department of the information required for the record may
13 ~~be transmitted to it and~~ under sub. (1). The department may distribute the forms
14 to county veterans' service officers. ~~The~~ A county veterans' service officer within
15 whose county ~~and any~~ any cemetery or other burial place is located in which deceased
16 veteran's bodies are interred ~~the bodies of persons who meet the definition of a~~
17 ~~"veteran" under s. 45.35 (5) (a)~~ shall submit the facts required for ~~such~~ the record
18 under sub. (1) to the department on the forms provided by it, if so requested by the
19 department.

NOTE: Eliminates unnecessary cross-reference to the definition of "veteran" and reorders and modifies text for improved readability and conformity with current style.

20 **SECTION 128.** 45.43 (7) (b) of the statutes is amended to read:

21 45.43 (7) (b) The department shall award a grant annually to a county that
22 meets the standards developed under this subsection and employs a county veterans'

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1 service officer who, if chosen after August 9, 1989, is chosen from a list of candidates
2 who have taken a civil service examination for the position of county veterans' service
3 officer developed and administered by the division of merit recruitment and selection
4 in the department of employment relations, or is appointed under a civil service
5 competitive examination procedure under ch. 63 or s. 59.52 (8). The grant shall be
6 \$8,500 for a county with a population of ~~under~~ less than 20,000, \$10,000 for a county
7 with a population of 20,000 to 45,499, \$11,500 for a county with a population of
8 45,500 to 74,999, and \$13,000 for a county with a population of 75,000 or more. The
9 department of ~~veterans affairs~~ shall use the most recent Wisconsin official
10 population estimates prepared by the demographic services center when making
11 grants under this paragraph.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs
by s. 45.001 (2), which is created by this bill.

12 **SECTION 129.** 45.52 of the statutes is amended to read:

13 **45.52 Physical disability does not disqualify for public employment.**

14 A veteran, ~~as defined under s. 45.35 (5) (a)~~, who has suffered a physical disability as
15 a direct result of military or naval service shall not on that account be barred from
16 employment in any public position or employment whether under state, county, or
17 municipal civil service or otherwise, if the licensed physician making a physical
18 examination of the veteran for the public employer certifies that the applicant's
19 disability will not materially handicap the veteran in the performance of the duties
20 of the position.

NOTE: "Veteran" in ch. 45 is defined by s. 45.001, which is created by this bill.

21 **SECTION 130.** 45.54 (1) (e) 1. of the statutes is amended to read:

22 45.54 (1) (e) 1. In-state schools that are exempt from taxation under section
23 501 of the ~~internal revenue code~~ Internal Revenue Code and that either were

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1 incorporated in this state prior to January 1, 1992, or had their administrative
2 headquarters and principal places of business in this state prior to 1970.

NOTE: Conforms capitalization to current style.

3 **SECTION 131.** 45.54 (5) of the statutes is amended to read:

4 45.54 (5) EMPLOYEES, QUARTERS. The board shall employ a person to perform
5 the duties of an executive secretary and such any other persons under the classified
6 service as that may be necessary to carry out its the board's purpose. The person
7 performing the duties of the executive secretary shall be in charge of the
8 administrative functions of the board. The board shall, to the maximum extent
9 practicable, keep its office with the department of ~~veterans affairs~~.

NOTE: "Department" in ch. 45 is defined as the department of veterans affairs
by s. 45.001 (2), which is created by this bill. A pronoun is replaced to improve
readability and to conform to current style.

10 **SECTION 132.** 45.71 (2m) of the statutes is repealed.

NOTE: Repeals definition of "board" made unnecessary because s. 45.001 (1), which
is renumbered from s. 45.35 (2) by this bill, defines "board" for all of ch. 45 as the the board
of veterans affairs.

11 **SECTION 133.** 45.71 (4) of the statutes is repealed.

NOTE: Repeals definition of "department" made unnecessary by the creation of s.
45.001 (2), which defines "department" for all of ch. 45.

12 **SECTION 134.** 45.71 (15) of the statutes is repealed.

NOTE: Repeals definition of "secretary" made unnecessary by the creation of s.
45.001 (3), which defines "secretary" for all of ch. 45.

13 **SECTION 135.** 45.71 (16) (a) 1m. c. of the statutes is amended to read:

14 45.71 (16) (a) 1m. c. Has served for 90 days or more during a war period as
15 ~~enumerated under par. (am)~~ or under section 1 of executive order 10957, dated
16 August 10, 1961, except service on active duty for training purposes, or if having
17 served less than 90 days was honorably discharged for a service-connected disability

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1 or for a disability subsequently adjudicated to have been service-connected or died
2 in service.

NOTE: This bill rennumbers the definition of “war period” at s. 45.35 (5) (e), which is identical to par. (am), to s. 45.001 (5) and makes it applicable to all of ch. 45, rendering the language deleted here unnecessary.

3 **SECTION 136.** 45.71 (16) (am) of the statutes is repealed.

NOTE: This bill rennumbers the definition of “war period” at s. 45.35 (5) (e), which is identical to this provision, to s. 45.001 (5) and makes it applicable to all of ch. 45, rendering this provision unnecessary.

4 **SECTION 137.** 45.79 (6) (a) 2. and (c) 2. of the statutes are amended to read:

5 45.79 (6) (a) 2. The chairperson of the board shall certify that the chairperson
6 does not expect proceeds of state debt issued under this paragraph to be used in a
7 manner that would cause the debt to be arbitrage bonds as defined by the ~~internal~~
8 ~~revenue code~~ Internal Revenue Code, where that debt is a bond that is exempt from
9 federal taxation.

10 (c) 2. The chairperson of the board shall certify that the board and the
11 department do not expect and shall not use proceeds of revenue obligations issued
12 under this paragraph in a manner that would cause the revenue obligations to be
13 arbitrage bonds as defined in the ~~U.S. internal revenue code~~ Internal Revenue Code,
14 where that debt is a bond that is exempt from federal taxation.

NOTE: Conforms capitalization to current style.

15 **SECTION 138.** 46.04 (2) of the statutes is amended to read:

16 46.04 (2) PROGRAM. From the appropriations under s. 20.435 (2) (a) and (gk),
17 the department shall establish at the Winnebago ~~mental health institute~~ Mental
18 Health Institute a program of inpatient assessment and treatment to be known as
19 the “Anchorage program”, which is designed primarily to meet the needs of
20 adolescents who are drug dependent, who evidence drug-related behavior which
21 that may be dangerous to the adolescent or to others, and who have a history of drug

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1 dependency and resistance to less restrictive forms of treatment, but ~~which~~ that also
2 may be used by the department to provide inpatient assessment and treatment of
3 adolescents who have mental illness, who evidence mental illness-related behavior
4 that may be dangerous to the adolescent or to others, and who have a history of
5 mental illness and resistance to less restrictive forms of treatment. A county
6 department under s. 51.42 may refer an adolescent for assessment or treatment
7 under this section and shall approve all admissions to the program under this section
8 of adolescents committed under s. 51.20 or 51.45 or admitted under s. 51.13.
9 Transfers under s. 51.35 (3) or 51.37 (5) may also be made to the program under this
10 section.

NOTE: Conforms capitalization to current style.

11 **SECTION 139.** 46.041 (1) (intro.) of the statutes is amended to read:

12 46.041 (1) (intro.) A program to be known as the “children’s consultation
13 service” shall be provided. The service shall be established at the Mendota mental
14 health institute Mental Health Institute or the Winnebago mental health institute
15 Mental Health Institute, or at both institutions. The service shall:

NOTE: Conforms capitalization to current style.

16 **SECTION 140.** 46.042 of the statutes is amended to read:

17 **46.042 Treatment program for emotionally disturbed children.** The
18 department shall establish a program for the intensive treatment of emotionally
19 disturbed children. The program shall be operated by the Mendota mental health
20 institute Mental Health Institute and be subject to all federal and state laws, rules,
21 and regulations ~~which~~ that apply to the institute. Operational planning shall
22 provide close interrelationship between the department and the University of
23 Wisconsin Medical School for conduct of educational and research programs.

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NOTE: Conforms capitalization to current style.

1 **SECTION 141.** 46.10 (14) (a) of the statutes is amended to read:

2 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
3 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
4 under 18 years of age at community mental health centers, a county mental health
5 complex under s. 51.08, the centers for the developmentally disabled, the Mendota
6 mental health institute Mental Health Institute, and the Winnebago mental health
7 institute Mental Health Institute or care and maintenance of persons under 18 years
8 of age in residential, nonmedical facilities such as group homes, foster homes,
9 treatment foster homes, child caring institutions, and juvenile correctional
10 institutions is determined in accordance with the cost-based fee established under
11 s. 46.03 (18). The department shall bill the liable person up to any amount of liability
12 not paid by an insurer under s. 632.89 (2) or (2m) or by other ~~3rd party~~ 3rd-party
13 benefits, subject to rules ~~which~~ that include formulas governing ability to pay
14 promulgated by the department under s. 46.03 (18). Any liability of the patient not
15 payable by any other person terminates when the patient reaches age 18, unless the
16 liable person has prevented payment by any act or omission.

NOTE: Conforms capitalization and hyphenation to current style.

17 **SECTION 142.** 46.19 (1) of the statutes is amended to read:

18 46.19 (1) The trustees shall appoint a superintendent of each institution and
19 may remove the superintendent for cause, as defined in s. ~~17.16 (2)~~ 17.001, on due
20 notice in writing and hearing of the charges against the superintendent.

NOTE: Section 17.16 (2) is renumbered s. 17.001 by this bill.

21 **SECTION 143.** 46.22 (1) (c) 1. b. of the statutes is amended to read:

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1 46.22 (1) (c) 1. b. ‘State institutions.’ ~~The Mendota mental health institute,~~
2 ~~Mental Health Institute, the Winnebago mental health institute~~ Mental Health
3 Institute, centers for the developmentally disabled, and Type 1 secured correctional
4 facilities, as defined in s. 938.02 (19).

NOTE: Conforms capitalization to current style.

5 **SECTION 144.** 46.27 (7) (b) 1m. of the statutes is renumbered 46.27 (7) (b).

NOTE: Eliminates unnecessary subdivision designation. This provision is not subdivided.

6 **SECTION 145.** 46.27 (7g) (e) of the statutes is amended to read:

7 46.27 (7g) (e) From the appropriation under s. 20.435 (7) (im), the department
8 shall pay the amount of the payments under par. (d) and shall spend the remainder
9 of the funds recovered under this subsection for long-term community support
10 services funded under sub. (7) (b) ~~1m.~~

NOTE: Subsection (7) (b) 1m. is renumbered to sub. (7) (b) by the previous section of this bill.

11 **SECTION 146.** 46.281 (1) (d) 1. of the statutes is amended to read:

12 46.281 (1) (d) 1. Establish, in geographic areas in which resides no more than
13 29% of the population that is eligible for the family care benefit, a pilot project under
14 which the department may contract with a county, a family care district, a tribe or
15 band, or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., or with
16 any 2 or more of these entities under a joint application, to operate a resource center.

NOTE: Conforms capitalization to current style.

17 **SECTION 147.** 46.282 (2) (am) of the statutes is amended to read:

18 46.282 (2) (am) *Appointment by a tribe or band or council.* If a tribe or band
19 or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., intends to
20 apply for a contract to operate a resource center or for certification as a care

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1 management organization, the tribe or band or the council shall, as a condition of the
2 application or the certification, appoint a local long-term care council.

NOTE: Conforms capitalization to current style and adds comma to correct
grammar.

3 **SECTION 148.** 46.282 (2) (b) 3. of the statutes is amended to read:

4 46.282 (2) (b) 3. A local long-term care council that is appointed by a tribe or
5 band or by the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., shall
6 consist of 21 members, at least 11 of whom are older persons or persons with physical
7 or developmental disabilities or their family members or other representatives. The
8 age or disability represented by these 11 members shall correspond to the proportion
9 of numbers of persons, as determined by the department, receiving long-term care
10 in this state who are aged 65 or older or have a physical or developmental disability.
11 The total remaining 10 members shall consist of providers of long-term care services,
12 persons residing in the county with recognized ability and demonstrated interest in
13 long-term care, and up to 3 members of the governing board of the tribe or band or
14 the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., that appoints
15 the local long-term care council.

NOTE: Conforms capitalization to current style.

16 **SECTION 149.** 46.282 (2) (d) of the statutes is amended to read:

17 46.282 (2) (d) *Compensation and training.* Members of the local long-term care
18 council who are older persons, persons with physical or developmental disabilities,
19 or the family members or other representatives of these persons shall receive
20 compensation from the applicable county for reasonable expenses associated with
21 membership participation. The county board of supervisors or, in the case of a
22 member appointed by the governing body of a tribe or band or by the Great Lakes
23 ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., the tribe or band or the Great

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1 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., shall provide training to
2 these members to enable them to participate effectively.

NOTE: Conforms capitalization to current style.

3 **SECTION 150.** 46.282 (3) (a) 1. (intro.) of the statutes is amended to read:

4 46.282 (3) (a) 1. (intro.) Develop the initial plan for the structure of the county,
5 multicounty or tribal resource center, and care management organization or
6 organizations, including formulating recommendations to the county board or
7 boards of supervisors and, in a county with a county executive or a county
8 administrator, to the county executive or county administrator, to the governing body
9 of the tribe or band or of the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal
10 Council, Inc., if applicable, and to the department on all of the following:

NOTE: Conforms capitalization to current style.

11 **SECTION 151.** 46.282 (3) (a) 1. a. of the statutes is amended to read:

12 46.282 (3) (a) 1. a. Whether or not the county, counties, tribe or band, or Great
13 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., should exercise its the
14 right to apply under s. 46.283 (1) for a contract to operate a resource center or to apply
15 under s. 46.284 (1) for a contract to operate a care management organization and how
16 the operation should proceed.

NOTE: Conforms capitalization to current style.

17 **SECTION 152.** 46.282 (3) (a) 1. d. of the statutes is amended to read:

18 46.282 (3) (a) 1. d. If applicable, how county-operated functions should interact
19 with a resource center or care management organization that is operated by a tribe
20 or band or by the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc.

NOTE: Conforms capitalization to current style.

21 **SECTION 153.** 46.283 (1) (b) of the statutes is amended to read:

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1 46.283 (1) (b) After considering recommendations of the local long-term care
2 council under s. 46.282 (3) (a) 1., the governing body of a tribe or band or of the Great
3 Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council, Inc., may decide whether to
4 authorize a tribal agency to apply to the department for a contract to operate a
5 resource center for tribal members and, if so, which client group to serve.

NOTE: Conforms capitalization to current style.

6 **SECTION 154.** 46.283 (1) (c) of the statutes is amended to read:

7 46.283 (1) (c) Under the requirements of par. (a), a county board of supervisors
8 may decide to apply to the department for a contract to operate a multicounty
9 resource center in conjunction with the county board or boards of one or more other
10 counties or a county-tribal resource center in conjunction with the governing body
11 of a tribe or band or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal Council,
12 Inc.

NOTE: Conforms capitalization to current style.

13 **SECTION 155.** 46.283 (1) (d) of the statutes is amended to read:

14 46.283 (1) (d) Under the requirements of par. (b), the governing body of a tribe
15 or band may decide to apply to the department for a contract to operate a resource
16 center in conjunction with the governing body or governing bodies of one or more
17 other tribes or bands or the Great Lakes ~~inter-tribal council, inc.~~ Inter-Tribal
18 Council, Inc., or with a county board of supervisors.

NOTE: Conforms capitalization to current style.

19 **SECTION 156.** 46.283 (2) (a) of the statutes is amended to read:

20 46.283 (2) (a) Before July 1, 2001, the department may contract only with a
21 county, a family care district, the governing body of a tribe or band or the Great Lakes

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1 ~~inter-tribal council, inc. Inter-Tribal Council, Inc., or with 2 or more of these entities~~
2 under a joint application, to operate a resource center.

NOTE: Conforms capitalization to current style.

3 **SECTION 157.** 46.283 (2) (b) (intro.) of the statutes is amended to read:

4 46.283 (2) (b) (intro.) After June 30, 2001, the department shall contract with
5 the entities specified under s. 46.281 (1) (d) 1. and may, in addition to contracting
6 with these entities and subject to approval of necessary funding, contract to operate
7 a resource center with counties, family care districts, or the governing body of a tribe
8 or band or the Great Lakes ~~inter-tribal council, inc., or Inter-Tribal Council, Inc.,~~
9 under a joint application of any of these, or with a private nonprofit organization if
10 the department determines that the organization has no significant connection to an
11 entity that operates a care management organization and if any of the following
12 applies:

NOTE: Conforms capitalization to current style.

13 **SECTION 158.** 46.284 (1) (b) of the statutes is amended to read:

14 46.284 (1) (b) The governing body of a tribe or band or of the Great Lakes
15 ~~inter-tribal council, inc. Inter-Tribal Council, Inc.,~~ may decide whether to authorize
16 a tribal agency to apply to the department for a contract to operate a care
17 management organization for tribal members and, if so, which client group to serve.

NOTE: Conforms capitalization to current style.

18 **SECTION 159.** 46.284 (1) (c) of the statutes is amended to read:

19 46.284 (1) (c) Under the requirements of par. (a), a county board of supervisors
20 may decide to apply to the department for a contract to operate a multicounty care
21 management organization in conjunction with the county board or boards of one or
22 more other counties or a county-tribal care management organization in conjunction

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1 with the governing body of a tribe or band or the Great Lakes ~~inter-tribal council,~~
2 ~~inc. Inter-Tribal Council, Inc.~~

NOTE: Conforms capitalization to current style.

3 **SECTION 160.** 46.284 (1) (d) of the statutes is amended to read:

4 46.284 (1) (d) Under the requirements of par. (b), the governing body of a tribe
5 or band may decide to apply to the department for a contract to operate a care
6 management organization in conjunction with the governing body or governing
7 bodies of one or more other tribes or bands or the Great Lakes ~~inter-tribal council,~~
8 ~~inc. Inter-Tribal Council, Inc.~~, or with a county board of supervisors.

NOTE: Conforms capitalization to current style.

9 **SECTION 161.** 46.284 (2) (b) 1. b. of the statutes is amended to read:

10 46.284 (2) (b) 1. b. The governing body of a tribe or band or the Great Lakes
11 ~~inter-tribal council, inc. Inter-Tribal Council, Inc.~~, elects to operate a care
12 management organization within the area and is certified under sub. (3).

NOTE: Conforms capitalization to current style.

13 **SECTION 162.** 46.37 of the statutes is amended to read:

14 **46.37 Certain water and sewerage service in Winnebago County.** The
15 department, as a member of the tri-institutional Winnebago ~~mental health institute~~
16 Mental Health Institute, Winnebago ~~county-asylum~~ County Asylum, and Sunny
17 View ~~sanatorium~~ Sanatorium sewer agreement in Winnebago ~~county~~ County, is
18 authorized to furnish and charge for water and ~~sewage~~ sewerage services to business
19 and dwelling units located in the privately owned area lying west of the Winnebago
20 ~~mental health institute~~ Mental Health Institute and bounded on the west by the
21 railroad properties and on the north, east, and south by the grounds of the
22 Winnebago ~~mental health institute~~ Mental Health Institute, together with ~~such any~~

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1 dwelling or other units ~~as now exist or as may be erected~~ located on the railroad
2 railroad-owned and ~~state-owned~~ state-owned property adjacent to this area.

NOTE: Substitutes the present tense “located” for “as now exist or as may be erected.” A statute is regarded as speaking in the present, as of the time it is read or applied. Also, under s. 990.001 (3) the present tense of a verb includes the future when applicable. Conforms capitalization and hyphenation to current style.

3 **SECTION 163.** 46.986 (6) (title) of the statutes is created to read:

4 46.986 (6) (title) EVALUATION.

NOTE: The remaining subsections of s. 46.986 have titles.

5 **SECTION 164.** 48.23 (1) of the statutes is renumbered 48.23 (1m).

NOTE: Accommodates the renumbering of s. 48.23 (6) to 48.23 (1g) by the next section of this bill.

6 **SECTION 165.** 48.23 (6) of the statutes is renumbered 48.23 (1g) and amended
7 to read:

8 48.23 (1g) DEFINITION. ~~For the purposes of~~ In this section, “counsel” means an
9 attorney acting as adversary counsel who shall advance and protect the legal rights
10 of the party represented, and who may not act as guardian ad litem or
11 court-appointed special advocate for any party in the same proceeding.

NOTE: Renumbers provision to beginning of section and modifies language, consistent with current style.

12 **SECTION 166.** 48.357 (1) of the statutes is renumbered 48.357 (1) (a) and
13 amended to read:

14 48.357 (1) (a) The person or agency primarily responsible for implementing the
15 dispositional order, the district attorney, or the corporation counsel may request a
16 change in the placement of the child or expectant mother, whether or not the change
17 requested is authorized in the dispositional order, and shall cause written notice to
18 be sent to the child, the parent, guardian, and legal custodian of the child, any foster
19 parent, treatment foster parent, or other physical custodian described in s. 48.62 (2)

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1 of the child, the child's court-appointed special advocate, and, if the child is the
2 expectant mother of an unborn child under s. 48.133, the unborn child by the unborn
3 child's guardian ad litem. If the expectant mother is an adult, written notice shall
4 be sent to the adult expectant mother and the unborn child by the unborn child's
5 guardian ad litem. The notice shall contain the name and address of the new
6 placement, the reasons for the change in placement, a statement describing why the
7 new placement is preferable to the present placement, and a statement of how the
8 new placement satisfies objectives of the treatment plan ordered by the court.

9 (b) Any person receiving the notice under ~~this subsection~~ par. (a) or notice of
10 a specific placement under s. 48.355 (2) (b) 2., other than a court-appointed special
11 advocate, may obtain a hearing on the matter by filing an objection with the court
12 within 10 days after receipt of the notice. Placements may not be changed until 10
13 days after that notice is sent to the court unless the parent, guardian, or legal
14 custodian and the child, if 12 years of age or over, or the child expectant mother, if
15 12 years of age or over, her parent, guardian, or legal custodian and the unborn child
16 by the unborn child's guardian ad litem, or the adult expectant mother and the
17 unborn child by the unborn child's guardian ad litem, sign written waivers of
18 objection, except that placement changes ~~which~~ that were authorized in the
19 dispositional order may be made immediately if notice is given as required ~~in this~~
20 ~~subsection~~ under par. (a). In addition, a hearing is not required for placement
21 changes authorized in the dispositional order except when an objection filed by a
22 person who received notice alleges that new information is available ~~which~~ that
23 affects the advisability of the court's dispositional order.

NOTE: Subdivides provision to improve the readability of that provision.

24 **SECTION 167.** 48.357 (2) of the statutes is amended to read:

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1 48.357 (2) If emergency conditions necessitate an immediate change in the
2 placement of a child or expectant mother placed outside the home, the person or
3 agency primarily responsible for implementing the dispositional order may remove
4 the child or expectant mother to a new placement, whether or not authorized by the
5 existing dispositional order, without the prior notice provided in sub. (1) (a). The
6 notice shall, however, be sent within 48 hours after the emergency change in
7 placement. Any party receiving notice may demand a hearing under sub. (1) (b). In
8 emergency situations, a child may be placed in a licensed public or private shelter
9 care facility as a transitional placement for not more than 20 days, as well as in any
10 placement authorized under s. 48.345 (3).

NOTE: Corrects cross-references to conform to the renumbering and amendment
of s. 48.357 (1) by this bill.

11 **SECTION 168.** 48.357 (2m) of the statutes is renumbered 48.357 (2m) (a) and
12 amended to read:

13 48.357 (2m) (a) The child, the parent, guardian, or legal custodian of the child,
14 the expectant mother, the unborn child by the unborn child's guardian at ad litem,
15 or any person or agency primarily bound by the dispositional order, other than the
16 person or agency responsible for implementing the order, may request a change in
17 placement under this subsection paragraph. The request shall contain the name and
18 address of the place of the new placement requested and shall state what new
19 information is available ~~which~~ that affects the advisability of the current placement.
20 ~~This~~ The request shall be submitted to the court. In addition, the court may propose
21 a change in placement on its own motion.

22 (b) The court shall hold a hearing on the matter prior to ordering any change
23 in placement requested or proposed under ~~this subsection~~ par. (a) if the request

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1 states that new information is available ~~which~~ that affects the advisability of the
2 current placement, unless written waivers of objection to the proposed change in
3 placement are signed by all persons entitled to receive notice under sub. (1) (a), other
4 than a court-appointed special advocate, and the court approves. If a hearing is
5 scheduled, the court shall notify the child, the parent, guardian, and legal custodian
6 of the child, any foster parent, treatment foster parent, or other physical custodian
7 described in s. 48.62 (2) of the child, the child's court-appointed special advocate, all
8 parties who are bound by the dispositional order, and, if the child is the expectant
9 mother of an unborn child under s. 48.133, the unborn child by the unborn child's
10 guardian ad litem, or shall notify the adult expectant mother, the unborn child by the
11 unborn child's guardian ad litem, and all parties who are bound by the dispositional
12 order, at least 3 days prior to the hearing. A copy of the request or proposal for the
13 change in placement shall be attached to the notice. If all the parties consent, the
14 court may proceed immediately with the hearing.

NOTE: Subdivides provision for improved readability and corrects an incorrect
term.

15 **SECTION 169.** 48.357 (2r) of the statutes is amended to read:

16 48.357 (2r) If a hearing is held under sub. (1) (b) or (2m) (b) and the change in
17 placement would remove a child from a foster home, treatment foster home, or other
18 placement with a physical custodian described in s. 48.62 (2), the court shall give the
19 foster parent, treatment foster parent, or other physical custodian described in s.
20 48.62 (2) an opportunity to be heard at the hearing by permitting the foster parent,
21 treatment foster parent, or other physical custodian to make a written or oral
22 statement during the hearing or to submit a written statement prior to the hearing,
23 relating to the child and the requested change in placement. Any written or oral